TAL Commission File

DISPATCH

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TO: Chiefs of all Stations

INFO.

FROM: Chief, KUDOVE

SUBJECT: Warren Commission Testimony - Selected Excerpts

ACTION REQUIRED - REFERENCES

FYI

1. The Warren Commission's Report on the assassination of President Kennedy focused attention on the magnitude of the problem involved in the protection of the Chief Executive. As you know, it is our responsibility, overseas and in headquarters, to render every support possible to the Secret Service in the conduct of its statutory responsibilities in the United States, and especially when the President travels abroad.

2. The circumstances confronting the Warren Commission produced discussion and testimony on various aspects of the problem of Presidential protection and on interagency operational cooperation, which normally do not find their way into the public domain. These include the acquisition and dissemination of information, consultation, coordination, and operational interchanges. I believe you will be interested in the attached extracts of testimony given before the Warren Commission by U.S. intelligence and security officials. Pertinent portions have been side lined. I commend these materials for reading by all officers in positions of senior responsibility in headquarters and overseas.

FLETCHER M. KNIGHT

DATE TYPED	DATE DISPATCHED
23 Dec. 1964	2 FEB 1965

CROSS REFERENCE TO

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		1	CI/OPS/EE
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1	C/FE/CH	1	CI/OPS/NE
1	C/FE/HULA	1	CI/OPS/SS
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Originated by: Chief, CI/R&A, Ext. 7468/23 December 1964
and Mr. A.E. Dooley, Ext. 6748

ALAN H. BELMONT, ASSISTANT TO THE DIRECTOR, FBI
MAY 6, 1964

Mr. STERN. I think he might be able to highlight the answer. We have the exact answer on the record, and I thought it might——

The CHAIRMAN. Well, highlight it, if there is anything in addition I would think that would be relevant and pertinent. But to ask him to paraphrase that which he has done with great meticulousness would seem to me to be abortive and would take a lot of our time, and I don't see what it would prove. If you have anything in addition that you want to ask him, if you want to ask him if there is anything in addition he has not put in there, that is all right. But to just ask him to paraphrase answers that have been done with great care would seem to me to be confusing the record, and serve no purpose.

Mr. STERN. I might ask, Mr. Belmont, whether there is anything you would like to add or amplify in these questions?

Mr. BELMONT. I believe the answers speak for themselves, although in view of Mr. McCloy's questions a little while ago, I would be very happy to make clear our approach to this matter. For example, the fact that our interest in defectors, in this case, is shown by the fact that in early November 1959 we opened a file on Oswald based on the newspaper publicity as to his defection. And the fact that he had applied to renounce his citizenship. We checked our files then to see was this a man we had a record on, and found that we had a fingerprint record solely based on his enlistment in the Marines.

We had no other record on him but we placed a stop or a flash notice in our fingerprint files, at that time so that if he should come back into the country unbeknownst to us and get into some sort of trouble we would be immediately notified. That is our opening interest in the case with the thought in mind that should he come back to the country we would want to know from him whether he had been enlisted by Soviet intelligence in some manner.

That is our procedure because of our experience that these things have happened, and we consider it our responsibility to settle that issue whenever we can.

Mr. STERN. Could you explain, Mr. Belmont, this procedure of placing a stop in the files that you just referred to?

Mr. BELMONT. We merely notify our identification division to place what we call a flash notice in the man's fingerprint file, which means that should he be arrested and the fingerprints be sent to the FBI, that the appropriate division, in this case the domestic intelligence division, would be notified that the man had been arrested, for what and where he was arrested, thus enabling us to center our attention on him.

Our next interest in this man arose as a result of the fact that his mother had sent, I believe, $25 to him in Moscow, so we went to her in April 1960 and we talked to her. At that time she told us that he had told her that he would possibly attend the Albert Schweitzer College in Switzerland.

So as a followup, we had our legal attache in Paris make inquiry to see whether he had enrolled in this college. The resultant check showed that while they had expected him and a deposit had been placed that he did not show up at the college.

Mr. STERN. I think that is all covered in quite adequate detail in the answer to the first question.

Mr. DULLES. I have one question I would like to put to you on the first question and answer in your letter of April 6, in Exhibit 833—the Bureau's letter of April 6. You refer, first, to the fact that the first news you got about Oswald was from a news service item, and then later on at the bottom of the second full paragraph you state, "A file concerning Oswald was prepared and as communications were received from other U.S. Government agencies those communications were placed in his file."

The record may show the other communications, I guess our record does show, but do you feel that you adequately were advised by the State Department as this case developed or by the CIA or other agencies that might have known about it?

Mr. BELMONT. Yes. We received a number of communications from other agencies, and we set up a procedure whereby we periodically checked the State Department passport file to be kept advised of his activities or his dealings with the Embassy in Moscow so that on a periodic basis we were sure we had all information in the State Department file.

We received communications from the Navy, and from other agencies.

Mr. DULLES. Is there any general procedure with respect to Americans abroad who get into trouble. Do you get informed so in case they come back you can take adequate precautionary measures? Is that established SOP?

Mr. BELMONT. Yes, Mr. Dulles. We do receive such information, and if we pick up the information initially as we did here, from press reports or otherwise, we go to the other agencies and ask them whether they have any information and establish an interest there so that if they have not voluntarily furnished us the information they will do so upon our request.

Mr. DULLES. Thank you.

Mr. STERN. On page 3, Mr. Belmont, in the answer to question No. 3, the second paragraph, could you tell us why the FBI preferred to interview Oswald after he had established residence and why it was not preferable to interview him upon his arrival in New York?

Mr. BELMONT. This is a matter of experience. Generally speaking when an individual such as Oswald arrives back in the country and the press is there, there is an unusual interest in him. Immigration and Naturalization Service has a function to perform, and we prefer, unless there is a matter of urgency, to let the individual become settled in residence. It is a much better atmosphere to conduct the interview, and to get the information that we seek. If it is a matter of urgency, we will interview him immediately upon arrival.

Mr. STERN. On page 4, Mr. Belmont, in your answer to question No. 6, was it ordinary procedure for Agent Fain to re-interview Oswald so soon after his first interview under the circumstances? Is there anything unusual about that?

Mr. BELMONT. There is nothing unusual whatsoever. Agent Fain interviewed Oswald on June 26, 1963—1962, I believe it was, was it not?

The CHAIRMAN. Yes; 1962.

Mr. BELMONT. And was not satisfied that he had received all the information he wanted nor that it was a matter that should be closed at that time.

Therefore, he set out a lead to re-interview Oswald, and after an appropriate period he went back and re-interviewed him. This is within the prerogative of the investigative agent, and certainly if he was not satisfied with the first interview it was his duty and responsibility to pursue the matter until he was satisfied.

Mr. STERN. In your answer to question No. 5, does the response of Oswald to the question why he went to Russia seem typical to you of the returned defector, or unusual?

Mr. BELMONT. There is no such thing as a typical response. Each case is an individual case, and is decided on its merits and on the background of the individual, and the circumstances surrounding it.

Mr. STERN. Would it be usual for the defector to agree to advise you if he got a contact? Are they generally that cooperative?

Mr. BELMONT. We ask them because we want to know, and the purpose of our interview with him was to determine whether he had been recruited by the Soviet intelligence, and we asked him whether he would tell us if he was contacted here in this country. He replied he would. Whether he meant it is a question. However, you must bear in mind that this man, I believe it was when he was interviewed in July of 1961 in the American Embassy, the interviewing official there said it was apparent that he had learned his lesson the hard way, and that he had a new concept of the American way of life, and apparently had decided that Russia was not for him.

When we interviewed him likewise he told us that he had not enjoyed his stay in Russia. He likewise commented that he had not enjoyed his stay in the Marines. So that in direct answer to your question, it is customary for us in such a case as this, to ask the man if he will report a contact, and it is customary for him to say yes, because frankly, he would be putting himself in a rather bad light if he didn't say yes.

Mr. STERN. Turning to——

Mr. DULLES. Could I ask a question there: Do I correctly read your report and those of your agents to the general effect that you had no evidence that there was any attempt to recruit Oswald in the United States?

Mr. BELMONT. No evidence whatsoever.

in view of the fact that we have practically—we have all the reports, he says we have all the reports that are in that file, and it just seems like thrashing old straw to go over it and over it again.

Mr. McCLOY. Do we have copies of all these telegrams that are in here from the Embassy?

Mr. BELMONT. You are looking at——

Mr. McCLOY. Not Embassy; here is one from Mexico. Do we have that? We don't have these in our files, for example.

Mr. BELMONT. This is subsequent to the assassination. You see your area of interest at this point is information, all information we had prior to the assassination. I did not remove from this file the items that started to come in subsequent to the assassination, you see.

Mr. McCLOY. My feeling is that somebody on the Commission should examine that file. I can't come to any other conclusion after reading it all, because I don't know what is in it, what is in our record, and what is in that file. There is a good bit of material there that is narrative, which I think would be relevant. Certainly, I don't believe we can be possibly criticized for deleting or not producing a file which contains the type of information that you are speaking of. We are just as interested in protecting the security of your investigative processes as you are. But I don't think that when it is on the record that we have this file, that may contain material that was not in our files, and we are given the opportunity to examine it, without disclosing these confidential matters that we ought not to have somebody go through it.

Mr. DULLES. I agree with that but I think we could save time if we checked off first what we have already and that would cut out about half of that file probably.

Mr. McCLOY. I think in a rapid glance through it, I think just about half of it.

The CHAIRMAN. Well, suppose you do that then, get those and let's see. All right, proceed, Mr. Stern.

Mr. STERN. I think perhaps we ought to leave the entire matter of the file then until we can give you the information.

The CHAIRMAN. That is right.

Mr. STERN. May we admit for the purposes of the record this list at this time, Mr. Chief Justice, which has been marked No. 834?

The CHAIRMAN. Yes. There are no security matters in this?

Mr. BELMONT. No, sir.

The CHAIRMAN. It may be admitted as Exhibit No. 834.

(The document referred to, previously marked Commission Exhibit No. 834 for identification, was received in evidence.)

Mr. STERN. Mr. Belmont, can you identify this letter dated February 6 with an attached affidavit which has been marked for identification as Commission Exhibit No. 835?

(The document referred to was marked Commission Exhibit No. 835, for identification.)

Mr. BELMONT. Yes; this is a letter dated February 6, 1964, to the Commission from the FBI to which is attached an affidavit by Director J. Edgar Hoover.

Mr. STERN. What is the subject?

Mr. BELMONT. Stating flatly that Lee Harvey Oswald was never an informant of the FBI.

Mr. DULLES. Would you define informant. Obviously in the sense he knew some information as previously indicated from the previous interviews. I mean for the record, would you just define what you mean by an informant in this sense?

Mr. BELMONT. An informant in this sense is an individual who has agreed to cooperate with the FBI and to furnish information to the FBI either for or without payment.

Mr. STERN. Thank you.

Mr. BELMONT. This would not, of course, include the cooperative citizen to whom we go, and who frequently and frankly discloses any information in his possession, but rather someone who joins an organization or seeks out information at the direction and instance of the FBI relative to subversive or criminal

matters. In other words, I want to make it clear we do not regard patriotic citizens as informants.

Mr. STERN. I take it you also would not have regarded Lee Oswald as an informant from the contacts with him that you have told us about and the other agents have told us about?

Mr. BELMONT. Indeed not; in no way could he be considered an informant; in no way.

Mr. STERN. Did you supervise or assist in the preparation of the information contained here?

Mr. BELMONT. Yes, sir.

Mr. STERN. And you are familiar with it?

Mr. BELMONT. Yes; I am.

Mr. STERN. And to your knowledge, does it accurately and completely state the Bureau's practice in recruiting a prospective informant?

Mr. BELMONT. That is correct.

Mr. STERN. Is there anything you would like to add to the information covered in there with respect to your practices regarding informants?

Mr. BELMONT. No; only in my personal knowledge this is a correct statement and Lee Harvey Oswald was not an informant of the FBI.

Mr. STERN. Did you ever use the term "agent" to apply to anyone other than an employee, a special agent employee of the FBI?

Mr. BELMONT. No; we do not.

Mr. DULLES. Could I ask you, Mr. Belmont, whether Mr. Fain's separation from the FBI had anything whatever to do with the Oswald case or in his handling of the Oswald case?

Mr. BELMONT. No; indeed not. Mr. Fain came to the retirement age and decided he wanted to retire, which is his privilege, and he retired and is presently working in Texas and very happy, I understand.

Mr. DULLES. Thank you.

Mr. BELMONT. He retired in good graces, good standing, so far as the FBI is concerned.

The CHAIRMAN. And a year before the assassination.

Mr. BELMONT. Frankly, I don't recall.

The CHAIRMAN. Yes; it was August 1962, he testified.

Mr. STERN. You have already covered this, Mr. Belmont, but just so that the record is completely clear on this point, was Lee Oswald ever an agent of the FBI?

Mr. BELMONT. Lee Oswald was never an agent of the FBI.

Mr. STERN. The letter of February 6, 1964, from Mr. Hoover, alludes to testimony furnished the Commission by District Attorney Wade. Have you subsequently been advised that Mr. Wade had not testified before the Commission?

Mr. BELMONT. Yes; we received a letter from the Commission advising us that the incident referred to was an informal discussion rather than actual testimony before the Commission.

Mr. STERN. And also to complete the record, have you been advised that Mr. Wade was not suggesting that he believed the rumor about Oswald as an informant, but felt obliged to call it to the attention of the Commission?

Mr. BELMONT. The Commission's letter so advised us.

Mr. STERN. Mr. Chairman, may this be admitted with No. 835?

The CHAIRMAN. It may be admitted under that number.

(The document referred to, previously marked Commission Exhibit No. 835 for identification, was received in evidence.)

Mr. STERN. Mr. Belmont, I show you a letter dated February 12, 1964, a number of affidavits by special agents, attached to it. It was identified yesterday, parts of it were identified yesterday and it therefore carries the number for identification 825. Can you identify this letter for us?

Mr. BELMONT. In order to be sure—I beg your pardon. This is a letter dated February 12, 1964, to the Commission from the FBI, to which is attached affidavits of FBI personnel who had reason to contact Lee Harvey Oswald and who were in a supervisory capacity over the agents who contacted Oswald.

Mr. STERN. Did you supervise the preparation of this material?

Mr. BELMONT. These affidavits were prepared, of course, by the men themselves.

I have read the affidavits, and they were compiled as an enclosure and sent over with this letter.

Mr. STERN. You have reviewed them in preparation for your testimony before the Commission?

Mr. BELMONT. Yes, sir.

Mr. STERN. To your knowledge, are they accurate?

Mr. BELMONT. They are accurate, to my knowledge, yes.

Mr. STERN. Are they complete?

Mr. BELMONT. Yes.

Mr. STERN. They do not omit any significant fact you know of?

Mr. BELMONT. No.

Mr. STERN. In connection with the material they cover?

Mr. BELMONT. No.

Mr. STERN. Unless there are any questions on that, Mr. Chairman, I suggest we admit this document.

The CHAIRMAN. It may be admitted as No. 825.

(The document referred to, previously marked Commission Exhibit No. 825 for identification, was received in evidence.)

Mr. STERN. Mr. Belmont, I show you a letter dated March 31, 1964, from Director Hoover to Mr. Rankin, the General Counsel of the Commission, with a series of attachments. Can you identify this which has been marked for identification as No. 836. Can you identify this for the Commission?

(The document referred to was marked Commission Exhibit No. 836 for identification.)

Mr. BELMONT. This is a letter dated March 31, 1964, to the Commission from the FBI to which is attached the instructions contained in our manuals as to the type of information which should be disseminated to Secret Service and our relations or liaison with Secret Service.

Mr. STERN. It was prepared in response to a request from the Commission?

Mr. BELMONT. That is correct.

Mr. STERN. Did you supervise or assist in the preparation?

Mr. BELMONT. I did.

Mr. STERN. Have you reviewed it recently?

Mr. BELMONT. Yes.

Mr. STERN. Is it complete with respect to the matters covered?

Mr. BELMONT. Yes; it is.

Mr. STERN. Is there anything you would like to add to it with respect to the matters covered?

Mr. BELMONT. Well——

Mr. DULLES. May I just interrupt here a moment. Is this inquiry directed to the question of whether it is now adequate or whether this is complete as of the time of the assassination? I think we have two questions there to consider.

Mr. BELMONT. Mr. Dulles, this letter outlines our relations with Secret Service and the material that is attached covers both the instructions to our agents prior to the assassination and the current instructions.

Mr. DULLES. Subsequent to the assassination?

Mr. BELMONT. Yes, sir.

Mr. DULLES. Yes.

Mr. STERN. What were the criteria you employed and instructed your agents to employ before the assassination in determining what information should be reported to the Secret Service regarding threats against the President, members of his family, the President-elect, and the Vice President?

Mr. BELMONT. These are contained in detail in the attachments which represent sections of our manual of instructions which are available to all of our personnel in the field as well as the seat of Government, and also in the FBI handbook which is in possession of the individual agent in the field. These instructions require that any information indicating the possibility of an attempt against the person or safety of the persons mentioned by you must be referred immediately by the most expeditious means of communications to the nearest office of the Secret Service. Further, that our headquarters in Washington must be advised by teletype of the information and the fact that it has been furnished to Secret Service.

Mr. STERN. Specifically, the kind of information you were interested in, that is before the assassination?

Mr. BELMONT. Yes. Specifically the kind?

Mr. STERN. Yes.

Mr. BELMONT. Any information indicating the possibility of a threat against the President and Vice President and members of the family.

Mr. STERN. Have you broadened——

Mr. BELMONT. I may say, sir——

Mr. STERN. Yes.

Mr. BELMONT. That this practice was assiduously followed, and you will find that the files of the Secret Service are loaded with information over the years that we have furnished them. That was a practice religiously followed and a practice voluntarily followed without request. In other words, we do not have a written request for this type of information but rather considered it our responsibility and duty to furnish this information.

Mr. STERN. Did you ever participate in or do you know of any discussion with the Secret Service before the assassination regarding the kind of information they were interested in?

Mr. BELMONT. We had close liaison with Secret Service, and I have no doubt that in oral discussions that the question came up. I wasn't present but I would assume it has come up, particularly as we were constantly furnishing information. We have no written criteria, you might say, as to what should be furnished.

Mr. STERN. That is, established by the Secret Service.

Mr. BELMONT. That is correct.

Mr. STERN. And you yourself never participated in any discussion of——

Mr. BELMONT. No; I did not.

Mr. STERN. This liaison function.

Mr. BELMONT. This is something we have done for years on the basis that we consider it our responsibility not only as far as the President goes. As you know, Mr. Chairman, we have also followed the same policy relative to other high officials when it appears desirable.

Mr. STERN. Have you subsequent to the assassination augmented your instructions to special agents in this respect?

Mr. BELMONT. Yes. On December 26, 1963, we prepared additional instructions reiterating those already in effect, and adding other dissemination to Secret Service concerning the security of the President.

The CHAIRMAN. Where do those new ones appear in the exhibit, Mr. Belmont?

Mr. BELMONT. They appear as an attachment—working from the back, I think, Mr. Chairman, I can help you most.

The CHAIRMAN. Yes.

Mr. BELMONT. Eight pages from the back it starts, it reads, "Manual of Instructions Section 83."

The CHAIRMAN. Yes; I have it.

Mr. BELMONT. The first page is the same information that we previously furnished to Secret Service involving threats.

The CHAIRMAN. The first page is intact, as it was before.

Mr. BELMONT. There may be some slight changes in wording but essentially it is the same dealing with possible threats.

The CHAIRMAN. Yes.

Mr. DULLES. Mr. Belmont, I wonder if it would be possible for the Commission's convenience to date each one of these papers as of a certain date. It is quite difficult going through it now without referring to the letter in each case to determine whether the instructions are as of the date of the assassination or as of the present date?

Mr. BELMONT. We can do that without any difficulty. I would be glad to do it with the staff, or can I help you here?

Mr. DULLES. Well, I think we can do that later but I think it would be useful when this goes into the record for our later reference in studying this to have those dates available to us on each one of the attachments.

Mr. BELMONT. Very good.

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Mr. DULLES. Thank you.

Mr. BELMONT. Coming back to this item you inquired about, sir, the other dissemination to Secret Service concerning the security of the President is set forth on pages 2 and 3 of this inclusion in our manual, and it extends the dissemination to "subversives, ultrarightists, racists, and fascists, (*a*) possessing emotional instability or irrational behavior, (*b*) who have made threats of bodily harm against officials or employees of Federal, State or local government or officials of a foreign government, (*c*) who express or have expressed strong or violent anti-U.S. sentiments and who have been involved in bombing or bomb-making or whose past conduct indicates tendencies toward violence, and (*d*) whose prior acts or statements depict propensity for violence and hatred against organized government." That was prepared in an effort to provide additional, and a voluntary effort, without request, to provide additional information that might be helpful to avoid such an incident as happened November 22, 1963.

Mr. STERN. This did not come about, this change did not come about, through any request from the Secret Service or discussion with the Secret Service?

Mr. BELMONT. No. We made these changes, as I say, in an effort to provide any additional information in the light of what happened that might be of assistance to Secret Service and might assist in protecting the President.

Mr. DULLES. I wonder, Mr. Belmont, whether you would consider possibly changing in section (*d*) the word "and" to "or" whose prior acts or statements depict propensity for violence" and then it now reads "and hatred against organized government". There have been cases, I believe, where the propensity for violence had not been previously noted but the hatred of organized government has.

Mr. BELMONT. We will be happy to change that.

Mr. DULLES. I just suggest for your consideration, I don't wish to rewrite it.

Mr. BELMONT. We would be happy to change it, Mr. Dulles.

Mr. STERN. Following Mr. Dulles' thought, in the line above that, Mr Belmont, should that "and" before (*d*) be "and" or "or"? Do you mean these——

Mr. BELMONT. We do not mean that all of these items must be coupled together if that is your thought.

Mr. STERN. That is right.

Mr. BELMONT. We will be happy to change the "and" before (*d*) to an "or".

Mr. STERN. This means any of the broad classifications of people, subversives, ultrarightists, racists or fascists who meet any of these four tests.

Mr. BELMONT. That is correct.

Mr. STERN. Can you give the Commission some notion of the increase in volume which the broadening of your criteria has brought about? By volume, I mean the volume of your references to the Secret Service.

Mr. BELMONT. I do not have an exact figure, however, I do know that more than 5,000 additional names have gone over to Secret Service under these criteria.

The CHAIRMAN. In what period of time?

Mr. BELMONT. Since we put them out.

The CHAIRMAN. I see.

Mr. BELMONT. Which was December 26.

The CHAIRMAN. Yes.

Mr. MCCLOY. Have you included defectors in this list?

Mr. BELMONT. Yes, sir; we do include defectors.

Mr. STERN. You mean as of December 26, 1963?

Mr. BELMONT. Correct.

Mr. STERN. Has the expansion of your criteria led to any problem or difficulty for you or for individuals or do you anticipate any problem or difficulty under the expanded criteria?

Mr. BELMONT. It seems to me that there is a necessity to balance security against freedom of the individual. This is a country of laws and a government of law, and not a government of men. Inevitably the increase in security means an increase in the control of the individual and a diminishment, therefore, of his individual liberties. It is a simple matter to increase security. But every time you increase security you diminish the area of the rights of the individual. In some countries the problem of a visiting dignitary is met without much difficulty.

Persons who are suspect or may be considered dangerous are immediately rounded up and detained while the individual is in the country. The authorities have no problem because in those countries there is not a free society such as we enjoy, and the people who are detained have no redress. The FBI approaches this whole field of security—I am not boring you with this, am I?

The CHAIRMAN. No, indeed. This is tremendously important.

Mr. BELMONT. The FBI approaches this whole field of security and its tremendous responsibilities to protect the internal security of the country as a sacred trust. In carrying out our investigations and our work in the security field, we do it in such a manner under the law that we strengthen rather than weaken the free society that we enjoy. It is for that reason that our men are trained carefully, thoroughly, and supervised carefully, to insure that their approach to the entire security field, which inevitably touches on control of thought, is handled with extreme care. Our activities are directed to meet the terrific responsibility we have for the internal security of the country, but to meet it under the law. We feel that to place security as such above the rights of the individual or to increase these controls beyond what is absolutely essential is the first step toward the destruction of this free society that we enjoy.

We have been asked many times why we don't pick up and jail all Communists. The very people who ask those questions don't realize that if action, unrestrained action, is taken against a particular group of people, a precedent is set which can be seized on in the future by power-hungry or unscrupulous authorities as a precedent, and which inevitably will gnaw away at this free society we have, and sooner or later will be applied to the very individuals who are seeking this action. Up until the time of the assassination we religiously and carefully and expeditiously furnished to Secret Service immediately on a local basis as well as on a national basis, headquarters basis, any and all information that in any way was indicated to be a possible threat against the President. This permitted Secret Service to take such action as was required against these individuals who had by their action set the stage for appropriate restraint or observation based on something they did. Therefore, they were not in a position to complain legitimately because they had by some word or deed set in motion a threat against the President of the United States. Since the assassination, as I have testified, we have broadened the area of dissemination in an effort to be helpful. It stands without question that we could have said, "No; we won't go any further." But we felt that it was our responsibility to do whatever we could do and, hence, we have broadened these criteria, and we have distributed thousands of pieces of information on individuals to Secret Service.

(At this point in the proceedings, Representative Ford enters the hearing room.)

We are not entirely comfortable about this, because under these broadened criteria after all we are furnishing names of people who have not made a threat against the President, people who have expressed beliefs, who have belonged or do belong to organizations which believe in violent revolution or taking things into their own hands. Unless such information is handled with judgment and care, it can be dangerous.

For example, we know that in one city when the President recently visited, the police went to these people and told them, "You stay in the house while the President is here or if you go out, we will go with you." We know that these people have threatened to consult attorneys, have threatened to make a public issue of the matter on the theory that this is restraint that is not justified as they have made no threats against the President. Now, when you examine this a bit further, we give these names to Secret Service. Secret Service must do something with those names, and Secret Service solicits the assistance of the police, quite properly. But I don't need, I think, to paint this picture any further, that when you get away from a specific act or deed of threats against the President, and you go into the broader area of what, perhaps, a man is thinking and, therefore, he may be a threat, and you take action against the man on the basis of that, there is a danger.

That is why, despite the fact that we have given this additional information and will continue to do so, we are uneasy. Again, if I may be permitted to continue, this is inherent in the entire approach of the FBI to the security field.

We go as far in our investigations as is necessary. But we go no further. We do not harass people. We do not conduct an investigation of a man for what he may be thinking. We attempt to the very best of our ability to carry out this responsibility for internal security without adopting tactics of harassment or unwarranted investigation, and we will not pursue a security matter beyond that which is essential to carry out our responsibilities. Now, I say that because that is the broad field of our policy, and I say it with complete sincerity, because I know. I have been in this work with the FBI both in the actual investigative field and in the policymaking and supervisory field for 27 years, and I know the policies and the procedures that are followed, and the care with which this problem is approached, and I agree with it fully.

Mr. McCloy. You are going to impose a pretty heavy burden on the Secret Service when you dump them with the 5,000 more names than they have been used to having.

Mr. Belmont. It will be more than 5,000, sir. This will continue.

Mr. McCloy. From your knowledge of the situation, do you feel that the Secret Service is equipped to cope with this added burden? Is it something that you feel——

Mr. Belmont. The Secret Service, as it has in the past, is required to call on the police for assistance in this field when the President visits a city. I do not know the exact complement of personnel of Secret Service, but they are a relatively small organization.

Mr. McCloy. It may be they will have to reorganize some of their procedures to cope with this, won't they?

Mr. Belmont. I do not know.

Mr. McCloy. You have got a pretty broad classification here. "All investigative personnel should be alert for the identification of subversives, ultrarightists, racists, and Fascists (*a*) possessing emotional instability or irrational behavior." That may include a good many people in the United States and maybe some members of this Commission—I am speaking for myself. There is irrational behavior that I have been guilty of many times. [Laughter.] This doesn't mean you are going to send everybody over there, but the names that—all those under your classification, all of those in your opinion come under that classification unless you feel they have some, there is some, reason behind it. In other words, you are selective in this list. You purport to be selective in the numbers that you are going to convey to, the names you are going to convey to, the Secret Service.

Mr. Belmont. We endeavor to use good judgment, sir. Now, as you indicate there are what, 190 million people in this country, and who knows when someone may adopt abnormal behavior.

You cannot tell tomorrow who will pose a risk. This is an effort to be as helpful as possible and, as we have in the past, we will use our best judgment. But this will broaden considerably the type of people and the number of people who go to the Secret Service.

Mr. McCloy. That is what I am getting at really, Mr. Belmont. You are not saying that all those people that you characterize here under this paragraph 2 will ipso facto be sent over to the Secret Service every time the President makes a move. This simply says that all investigative personnel should be alert in that situation; am I right in that?

Mr. Belmont. No, sir. If you will follow in the next paragraph, we say, "If cases are developed falling within the above categories, promptly furnish Secret Service locally a letterhead memorandum" with the information.

Mr. McCloy. So without any further ado all the people in your list who are in that category will be transferred over to the Secret Service when there is an occasion, when the President travels?

Mr. Belmont. No. This is a continuing procedure. In other words, during our investigations we come across someone who is in this area or category, and this is a requirement that that man's name go to Secret Service with a brief description of him, and Secret Service then has that filed and is in a position to know that that individual has been referred to them.

Mr. McCloy. Well, that brings up again the comment that I originally made.

This does put a big burden of investigation and judgment on the Secret Service, one which they have not heretofore presumably had placed on their shoulders.

Mr. BELMONT. I think you are correct.

Mr. MCCLOY. The reason I am asking these questions is because by implication, at least, one of our directives is to look into this situation for the future protection of the President, and we want to see that we have got something that is practical as well as cautious.

Mr. DULLES. Do the memoranda attached, Mr. Belmont, to this exhibit indicate what classes were so identified for investigation under the procedures existing at the time of the assassination and what change has been made, how it has been extended?

Mr. BELMONT. Yes, sir. If you——

Mr. DULLES. By the definitions under paragraph 2 of the Manual of Instructions.

Mr. BELMONT. The previous page and the paragraph right above No. 2 sets forth the same information that we acted on prior to the assassination.

Mr. DULLES. That is paragraph 1?

Mr. BELMONT. Yes, sir.

Mr. DULLES. The Manual of Instructions, section 83.

Mr. BELMONT. Yes, sir.

Mr. DULLES. What are the various categories given now at the top of page 2 of this exhibit which have been added?

Mr. BELMONT. At the top of page 2, sir, that is the information that should be included in the notification to headquarters as to who the individual is and the background information that was furnished to Secret Service so that we, too, can disseminate to Secret Service here.

Representative FORD. Under the new criteria would Oswald's name have gone to the Secret Service automatically?

Mr. BELMONT. Well, Congressman, right now we are including all defectors automatically.

Now, the question whether Oswald meets these criteria here as set forth is a question of judgment. As I say, right now we do furnish all defectors.

Representative FORD. Defectors are for the time being at least a special category other than what is set forth here unless for some other reason they would fall into one of these categories.

Mr. BELMONT. Yes.

Mr. MCCLOY. Do you under that category send forward all Communists?

Mr. BELMONT. Yes.

Mr. MCCLOY. All Communists, yes.

Mr. DULLES. Mr. Chairman, I wonder whether or not it would be wise for the record at this point to read into the record, in view of the importance of this, this paragraph which we are now discussing and which, as I understand it, contains the new definition of investigative cases?

The CHAIRMAN. Yes; we can put it into the record.

Mr. DULLES. Mr. Belmont, as I understand it, the new criteria are set forth in paragraph 2 on page 2 of the Manual of Instructions, section 83; is that correct?

Mr. BELMONT. That is correct.

Mr. MCCLOY. Which, as I counted, is the 12th page of the Commission's Exhibit No. 836; is that right, Mr. Stern?

Mr. STERN. That is right number of the exhibit.

Mr. MCCLOY. 836, and I think it is the 12th page.

Mr. DULLES. For convenient reference I suggest that when this be included that we add the dates and the page numbers.

Mr. STERN. I think the witness can do this immediately.

The CHAIRMAN. We will give a copy of it to the reporter and he may copy it and incorporate it later in the record.

(Paragraph 2 reads as follows:)

"Other dissemination to Secret Service concerning security of the President. All investigative personnel should be alert for the identification of subversives, ultrarightists, racists, and Fascists (*a*) possessing emotional instability or irrational behavior, (*b*) who have made threats of bodily harm against officials

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Mr. BELMONT. That is correct, sir.

The CHAIRMAN. They find themselves in a mousetrap then.

Mr. BELMONT. That is correct, sir; that is right.

Mr. McCLOY. In other words, you would expect your agents to exert some selection before they would send these names over to the Secret Service.

Mr. BELMONT. Our agents use judgment in the pursuance of this work, and they would continue to use judgment in the selection of people who meet this criterion. Otherwise if you carried this to the extreme you would get out of hand completely. So that there is judgment applied here and our agents are capable of applying the judgment.

Representative FORD. What has been the reaction of the Secret Service to this greater flow of information that they have received?

Mr. BELMONT. They have taken it. There has been no official reaction, to my knowledge.

Representative FORD. Have they objected to the greater burden?

Mr. BELMONT. No, sir; I would like to say, I don't know whether you are going to cover this, Mr. Stern, that our relations with the Secret Service are excellent. We work closely together.

As a matter of fact, since the assassination, at the request of Mr. Rowley, we have furnished agents to assist on occasion in the protection of the President, which is primarily a function of Secret Service, but as a cooperative gesture we have on a number of occasions made agents available at the request of Mr. Rowley. I think the figure runs to something like 139 agents—yes, 139 agents that we have made available.

We do have a very close liaison with Secret Service both at the seat of Government and in our field offices. We have a supervisor here at the seat of Government whose duty it is to stay directly in touch with Secret Service, to cut redtape and produce results both for Secret Service and for the FBI; to see that the problems are handled immediately. He has direct access to Mr. Rowley, and we have on a number of occasions at the request of Secret Service, sent one of our agents with the Secret Service when the President travels abroad, particularly where we have a representative in the countries being visited, because our relations with the law enforcement officials in those countries have been built up over the years, and we are thus in a position to assist Secret Service in establishing the necessary security measures and the flow of information to serve their purpose.

In addition, when the President travels abroad we alert all of our offices to advise us of any information which may pertain to the travel of the President, and we set up a supervisor back here to receive that information and cable it or get it immediately to our man who is accompanying the President when he makes this trip.

This is done, this agent going with Secret Service is done, at the invitation and request of Secret Service.

Representative FORD. 169 agents of the FBI who have assisted since the assassination. Did Secret Service make a specific request for their help in these instances?

Mr. BELMONT. Yes; Mr. Rowley advised that he needed help, it was offered to him by Mr. Hoover, and when the President is going to visit a city and Secret Service does not have sufficient personnel in that particular city to cover what they consider is necessary, they need specialized help from us, they will make the request to us and we will authorize our local agent in charge to make those men, the designated number, available to the Secret Service representative, who then uses their services while the President is there.

Representative FORD. I gather that prior to the assassination such requests, specific requests, had not come from Secret Service to the Bureau.

Mr. BELMONT. No. There were never any such requests before.

Mr. STERN. At the level at which the requests have been made so far, have they proved to be a difficult burden for the FBI?

Mr. BELMONT. Mr. Stern, any time that we have a pending caseload of something like 115,000 investigative matters, which is what we have, and our agents are assigned about 20 to 25 cases apiece across the country, ranging from matters of immediate urgency to matters which can be handled in due time, and whenever

our agents are putting in an average of over 2 hours overtime a day voluntarily, the loan of 139 men will be felt.

Representative FORD. 169.

Mr. BELMONT. I believe it was 139, sir. I think the letter says 139.

Mr. STERN. 139 on 16 separate occasions.

Mr. BELMONT. Yes. I do not wish to overplay this. We are not complaining. We do feel that at such time as Secret Service is able to increase its personnel or meet this problem within the organization that it is properly their problem. But meanwhile we are following this procedure and we are not complaining.

Mr. DULLES. I had hoped, Mr. Chairman, that at some time while Mr. Belmont was here, we could ask him to just briefly define for us, going back to the assassination day, a clear definition of the respective functions of the FBI and the Secret Service prior to and immediately after the assassination. There seemed to have been at one time a little confusion there. Naturally in a situation of this kind it always happens, but I am not absolutely clear in my mind as to——

Mr. BELMONT. At the time of the assassination?

Mr. DULLES. Yes. Just before, I mean what your responsibilities were just before the assassination, and just after as contrasted with the functions of the Secret Service.

Mr. BELMONT. The Secret Service has the responsibility for protecting the President and his family, and the Vice President and so on. That is a basic responsibility.

Mr. DULLES. And you have no auxiliary function to that——

Mr. BELMONT. No, sir.

Mr. DULLES. Except to furnish names and suspects, as you have indicated.

Mr. BELMONT. That is correct. We have no function there. That is a primary responsibility and function of Secret Service.

Now, we do have what we have considered our responsibility, to furnish to Secret Service any indication of a threat to the President, and that we have done religiously.

After the assassination the President ordered us into an investigation of the assassination which changed the picture as far as this particular case was concerned.

Mr. DULLES. You mean President Johnson, immediately after the assassination?

Mr. BELMONT. Yes, sir.

Mr. DULLES. And there was a period there, there was a period though, after the assassination and before President Johnson took the oath of office—did this order come to you during that period or after he had taken the oath of office?

Mr. BELMONT. It was very rapid, probably within a day.

Mr. DULLES. I see. It wasn't immediately after.

Mr. BELMONT. No.

Mr. DULLES. It wasn't this period I am speaking of.

Mr. BELMONT. You see, Mr. Dulles, the Federal Government still has no jurisdiction over the assassination of the President. That was a murder and was within the province of the local police who immediately took hold of it and started the investigation.

Mr. DULLES. I realize that.

Mr. BELMONT. And started the investigation and it was theirs.

Mr. DULLES. You were only in there by courtesy. What you did was by courtesy of the local authorities.

Mr. BELMONT. Yes, sir; we went to the Dallas Police Department and immediately went into action because of what had happened, and there was no time for us to stand on priorities. But we felt we should be of the utmost assistance, and we sent men to the police department to assist in the interview and do anything else we could. This wasn't a time, of course, to sit back and say, "This isn't our job."

Mr. DULLES. I understand.

Mr. BELMONT. Yes.

The CHAIRMAN. Mr. Belmont, just one question. Do you know of any legisla-

tion in recent years that might have been introduced in the Congress to make an attack upon the President a Federal offense?

Mr. BELMONT. I do know that there is legislation presently pending.

The CHAIRMAN. Since the assassination?

Mr. BELMONT. Since the assassination.

The CHAIRMAN. Yes. But had it been considered in recent years? I know it had at the time of other assassinations, but so far as you know were there any recent legislation to that effect?

Mr. BELMONT. Mr. Chairman, I must plead ignorance. I haven't done research on it, and I just don't know.

The CHAIRMAN. Yes. Well, we can find that out very easily.

Representative FORD. Mr. Chairman, just the other day in the House of Representatives a bill was approved giving Federal officials the right to take certain action when a chief of state from a foreign country was within the United States; a broadening of their authority when they had a suspicion or they had some reason to believe that an attack was being made on a foreign dignitary.

At the time it went through the House I thought of the same question you just raised, and I wondered whether there were any specific legislative matters pending before any committee on this particular point.

Mr. BELMONT. I am sure there is a pending bill because my recollection is that it was called to our attention—I cannot pinpoint it for you—but I think there is pending legislation now in this matter.

Mr. MCCLOY. I noticed in some Law Review article recently reference to the fact that previous bills had been introduced but had gone into the wastebasket.

The CHAIRMAN. That is true.

Mr. MCCLOY. In respect of other incidents.

The CHAIRMAN. When the emotion died down.

Mr. MCCLOY. When the emotion died down, that is true.

I have some further questions.

The CHAIRMAN. Have you finished, Mr. Stern?

Mr. STERN. I want to get one thing established that came up yesterday. Mr. Belmont, yesterday the Commission was interested in determining, if possible, when Agent Hosty recorded the interviews that he had taken on October 29, November 1, and November 5. He wasn't certain, except that he thought it had been done after the assassination. Have you caused a check to be made on that?

Mr. BELMONT. Yes; we checked with our Dallas office, and they do not have a specific record of when that information was recorded.

Mr. STERN. Was it recorded in substantially the same form in some contemporaneous communication?

Mr. BELMONT. Yes; within a day or two, I think on November 4, if I recall correctly, the fact that Hosty had talked to the neighbor of Mrs. Paine and had located Marina Oswald, was sent in by AIRTEL.

Mr. STERN. You might refer to Commission Exhibit 834, page 9, items 64 and 67, just so the record is straight.

Mr. BELMONT. Item 64 is an AIRTEL from the Dallas office to the headquarters dateo October 30, wherein Hosty reported this interview that he had had with the neighbor of Mrs. Paine.

On November 4 the Dallas office reported by AIRTEL the results of his contact with Mrs. Paine on November 1, so that the results of his interviews were incorporated at that time, October 30, November 4, but the actual insert for the report was not prepared until some time later. To the best of Hosty's recollection it was after the 22d and prior to December 2, but he was already on record by these AIRTELs.

Mr. STERN. Thank you, Mr. Belmont.

I have no further questions.

The CHAIRMAN. Mr. McCloy.

Mr. MCCLOY. I have one or two questions.

Mr. Belmont, you do know the charge has been made by some that Oswald was what is called a secret agent. Do you have any information whatever that would cause you to believe that Oswald was or could have been an agent or an informant of the FBI?

Mr. BELMONT. I have covered that in some considerable detail, Mr. McCloy, and I will make a positive statement that Oswald was not, never was, an agent or an informant of the FBI.

Mr. McCLOY. In the course of your investigation do you have any reason to make you believe that he was an agent of any other country?

Mr. BELMONT. No, sir; we have no reason to believe that he was an agent of any other country.

Mr. McCLOY. Or any other agency of the United States?

Mr. BELMONT. Or any other agency of the United States.

Mr. McCLOY. You said this morning, I believe, or at least I guess Mr. Hosty said, that the assassination of the President and any leads in connection with it are still of constant concern to the FBI.

Do you feel there are any areas as of the present time that you feel at the present time require or justify further investigation other than routine check-ups that have not already been undertaken?

Mr. BELMONT. No, sir; frankly, I don't. I will say that from the requests we have received from the Commission, you have explored this most thoroughly. We do not have any unexplored areas in this investigation that should be explored. There are some pending requests that you have made, and we are running them out as rapidly as we can.

Mr. McCLOY. Maybe this isn't a fair question to ask you, but, after all, you have had a long record of criminal investigation, and you have had a long exposure to investigation in this case.

As a result of your investigation do you feel that there is any credible evidence thus far which would support a conclusion or an opinion that the death of the President was the result of a conspiracy or anything other than the act of a single individual?

Mr. BELMONT. No, sir; we have no evidence, and I could support no conclusion that this was other than an act of Oswald.

Mr. McCLOY. Now, the investigation does lead you to the conclusion that he was the President's assassin?

Mr. BELMONT. Yes, sir.

Mr. McCLOY. Did you ever at any time have any connection whatever—you or the agency—have anything to do with the Walker, General Walker, case?

Mr. BELMONT No, sir; that was a matter handled by the Dallas police. I am drawing on my recollection of it now, but, as I recall it, after the incident, we offered to examine the bullets that were recovered——

Mr. McCLOY. Bullets.

Mr. BELMONT. And the police apparently wanted to retain them, so that we did not conduct the examination of the bullets until subsequent to the assassination itself.

Mr. McCLOY. Until recently.

Mr. BELMONT. No; we had no connection with it, with that investigation.

Mr. McCLOY. In your investigation of the President's assassination, did you have occasion, after the event, to make an investigation of Ruby's background or Ruby's relationship to Oswald?

Mr. BELMONT. Yes, sir; we went into that very thoroughly.

Mr. McCLOY. Have we got all your reports on that?

Mr. BELMONT. Yes, sir.

Mr. McCLOY. Have you come to any conclusions or opinions in regard to Ruby and his connection with Oswald, if any?

Mr. BELMONT. The reports, of course, speak for themselves. But in summation, we did not come up with anything of a solid nature, that is anything that would stand up to indicate that there was any association between Ruby and Oswald. We had numerous allegations which we ran out extensively and carefully, but there is nothing, no information, that would stand up to show there was an association between them.

Mr. McCLOY. Maybe this is in the record, but do you—by reason of your very close association with this investigation, I venture to ask this question—do you, from your knowledge of the investigation find—was there any evidence in

Mr. DULLES. Do you have some more?

Mr. McCLOY. I think I have got all the questions I wanted to ask.

(At this point in the proceedings, Representative Ford leaves the hearing room.)

Mr. DULLES. I have two or three questions.

As you know, Mr. Belmont, there have been a wide variety of rumors that have been spread abroad very particularly with regard to the assassination.

I have before me, just received last night, a book just being published in England, it is coming out in the next day or 2, called "Who Killed Kennedy," by Thomas G. Buchanan, published in London by Secker and Warburg. I have not had an opportunity yet to read the book. I have read a good deal of the background material on which it is based.

I would like to ask though when this book is available to you, and we will make a copy available to you and see that you get one promptly, whether you would have the Bureau read this, an appropriate person in the Bureau familiar with the case or yourself, and possibly give us your views with regard to certain of the allegations here within your particular competence.

Mr. BELMONT. As I understand it, Mr. Dulles, this is probably a compilation of the articles that he wrote in the French press.

Mr. DULLES. Express; yes.

Mr. BELMONT. Which, I believe, we sent over to the Commission as we received them.

Mr. DULLES. That is correct.

Mr. BELMONT. And from my recollection of perusing those articles, they are filled with false statements, innuendoes, incorrect conclusions, misinformation, and certainly what I would term false journalism. In other words, he has stated as fact or as a correct conclusion many things which the Commission's investigation has disproved completely.

We will be glad to read the book and to furnish you with a general comment on it. But to take down each statement in there and go into it would probably result in a critique of 500 pages.

Mr. DULLES. We do not want that. I don't think we need that.

Mr. BELMONT. Where actually many of these allegations have already been resolved by the Commission, I am sure. We will be glad to read it and give you a——

Mr. DULLES. I think that would be useful for the Commission to have, Mr. Chairman. Do you agree?

The CHAIRMAN. Very well; yes. If you find any factual matters in there that contradict your findings, we would expect you to call it to our attention.

Mr. BELMONT. Most certainly, sir.

The CHAIRMAN. But otherwise I don't think we want a review of the book. That is your idea, is it?

Mr. DULLES. Not a review of the book, but if there are allegations there, any evidence you can factually deny, that would be helpful to have it.

Mr. McCLOY. Do you have any record of Buchanan? Do you know anything about Buchanan's background?

Mr. BELMONT. No, sir; I do not recall.

Mr. DULLES. I wish you would check.

Mr. BELMONT. We can send you a letter.

The CHAIRMAN. We have the record.

Mr. McCLOY. He seems to be very much Ivy League, Lawrenceville School and Yale.

Mr. DULLES. He was at one time, I believe, he admitted to being a Communist at one time. He was at one time employed by the Washington Star, I am advised, and I believe, according to the information I have, that he was terminated by the Star some years ago.

Mr. BELMONT. I thought he had been in touch with the Commission.

The CHAIRMAN. He came in, he did come in here, and made a statement which we have recorded. His testimony wasn't taken. He just walked in off the street.

Mr. DULLES. I have one or two more questions, Mr. Chairman.

J. EDGAR HOOVER
MAY 14, 1964

will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HOOVER. I do.

The CHAIRMAN. Mr. Rankin will carry on the examination, Mr. Director.

Mr. RANKIN. Mr. Chief Justice, do you want to tell him briefly what our purpose is?

The CHAIRMAN. Oh, yes; it is our practice to make a brief statement before the testimony of each witness, and I will do it now.

Mr. Hoover will be asked to testify in regard to whether Lee H. Oswald was ever an agent, directly or indirectly, or an informer or acting on behalf of the Federal Bureau of Investigation in any capacity at any time, and whether he knows of any credible evidence of any conspiracy, either domestic or foreign, involved in the assassination of President Kennedy.

What he has to say about an article in the National Enquirer, Commission Exhibit No. 837, and concerning the failure to include the name and information concerning special agent Hosty in the initial report of the Oswald address book and any suggestions and recommendations he may have concerning improvements or changes in provisions for the protection of the President of the United States. Now, Mr. Rankin, you may proceed.

Mr. RANKIN. Mr. Hoover, will you state for the record your name and position?

Mr. HOOVER. J. Edgar Hoover, Director of the Federal Bureau of Investigation of the Department of Justice.

Mr. RANKIN. Where do you live, Mr. Hoover?

Mr. HOOVER. I live at 4936 30th Place, Northwest, Washington, D.C.

Mr. RANKIN. And you have been Director of the Bureau for some 40 years according to the newspapers?

Mr. HOOVER. That is correct; since 1924.

Mr. RANKIN. You have furnished us a considerable amount of information, Mr. Hoover, about whether or not Lee Harvey Oswald was ever an agent or acting for the Bureau in any capacity as informer or otherwise at any time. Are those statements correct?

Mr. HOOVER. They are correct. I can most emphatically say that at no time was he ever an employee of the Bureau in any capacity, either as an agent or as a special employee, or as an informant.

Mr. RANKIN. I call your particular attention to Exhibit 835, and suggest that you will find that that is your letter, together with your affidavit about this subject matter, and other matters that you furnished to us concerning this particular subject.

Mr. HOOVER. That is correct.

Mr. RANKIN. Do you wish to add anything?

Mr. HOOVER. No; there is nothing that I desire to add to what appears in this letter and my affidavit which accompanied it to the Commission.

Mr. RANKIN. You have provided many things to us in assisting the Commission in connection with this investigation and I assume, at least in a general way, you are familiar with the investigation of the assassination of President Kennedy, is that correct?

Mr. HOOVER. That is correct. When President Johnson returned to Washington he communicated with me within the first 24 hours, and asked the Bureau to pick up the investigation of the assassination because as you are aware, there is no Federal jurisdiction for such an investigation. It is not a Federal crime to kill or attack the President or the Vice President or any of the continuity of officers who would succeed to the Presidency.

However, the President has a right to request the Bureau to make special investigations, and in this instance he asked that this investigation be made. I immediately assigned a special force headed by the special agent in charge at Dallas, Tex., to initiate the investigation, and to get all details and facts concerning it, which we obtained, and then prepared a report which we submitted to the Attorney General for transmission to the President.

Mr. RANKIN. From your study of this entire matter of the assassination and work in connection with it, do you know of any credible evidence that has ever come to your attention that there was a conspiracy either foreign or domestic involved in the assassination?

Mr. HOOVER. I know of no substantial evidence of any type that would support any contention of that character. I have read all of the requests that have come to the Bureau from this Commission, and I have read and signed all the replies that have come to the Commission.

In addition, I have read many of the reports that our agents have made and I have been unable to find any scintilla of evidence showing any foreign conspiracy or any domestic conspiracy that culminated in the assassination of President Kennedy.

Representative FORD. May I ask this, Mr. Hoover. As I understand your testimony, it is based on the evidence that has been accumulated thus far?

Mr. HOOVER. That is correct, sir.

Representative FORD. Is the Federal Bureau of Investigation continuing its investigation of all possible ramifications of this assassination?

Mr. HOOVER. That is correct. We are receiving and we, I expect, will continue to receive for days or weeks to come, letters from individuals that normally would probably be in the category of what we would call crank letters in which various weird allegations are made or in which people have reported psychic vibrations. We are still running out letters of that character and in turn making a report to this Commission upon it, notwithstanding the fact that on the face of it the allegation is without any foundation. Individuals who could not have known any of the facts have made some very strange statements. There have been publications and books written, the contents of which have been absurd and without a scintilla of foundation of fact. I feel, from my experience in the Bureau, where we are in constant receipt over the years of these so-called crank letters, that such allegations will be going on possibly for some years to come.

I, personally, feel that any finding of the Commission will not be accepted by everybody, because there are bound to be some extremists who have very pronounced views, without any foundation for them, who will disagree violently with whatever findings the Commission makes. But I think it is essential that the FBI investigate the allegations that are received in the future so it can't be said that we had ignored them or that the case is closed and forgotten.

Representative FORD. Could you give us some idea of how many agents are currently working to one degree or another on any aspects of this case?

Mr. HOOVER. I would estimate, Congressman Ford, that there are at the present time at least 50 or 60 men giving their entire time to various aspects of the investigation, because while Dallas is the office of origin, investigation is required in auxiliary offices such as Los Angeles or San Francisco, and even in some foreign countries like Mexico. We have representatives in Mexico City.

At the outset of the investigation, following the assassination, it was the desire of the President to have this report completed by the Bureau just as quickly as possible, and as thoroughly as possible, and I would say we had about 150 men at that time working on the report in the field, and at Washington, D.C.

Now, all the reports that come in from the field are, of course, reviewed at Washington by the supervisor in charge of the case, and then in turn by the assistant director of the division, and then in turn by Mr. Belmont, who is the assistant to the Director.

Reports in which there is a controversial issue or where statements have been made of the existence of some particular thing that we have never heard of before, I myself, go over these to see that we haven't missed anything or haven't had any gap in the investigation so it can be tied down.

Recently the National Enquirer had a fantastic article in it as to the existence of a letter that had been written or a request that had been made by the Department of Justice to Chief Curry of the Dallas Police Department, to withhold arresting Rubinstein, or Ruby, and Oswald after the Oswald attempt on General Walker's life.

First, I had the agent in charge at Dallas interview Chief Curry and I have sent to the Commission a letter as to what Chief Curry had to say. He branded it as an entire lie—that he had never received any request of that kind. I had our files searched to be certain we had not written any such letter as that and found we had not. I requested the Department of Justice to advise me whether they had written any such letter and Mr. Katzenbach advises there is no ref-

erence in the Department files to the alleged letter from any Department of Justice official to Chief Curry nor any reference that an FBI official was asked to request the Dallas police not to arrest Oswald or Ruby. A letter is being sent to the Commission today setting forth this information.

Representative FORD. The point that I think ought to be made is that despite the magnitude of the effort that has been made by the FBI and by other agencies, and despite the tremendous effort that has been made, I believe, by the Commission to help and assist and to consolidate all of the evidence that we possibly could, that there is always the possibility at some future date that some evidence might come to the surface.

Mr. HOOVER. That is, of course, possible; yes.

Representative FORD. I want just to be sure that no leads, no evidence regardless of its credibility will be ignored, that it will be pursued by the Bureau or any other agency to make certain that it is good, bad or of no value.

Mr. HOOVER. Well, I can assure you so far as the FBI is concerned, the case will be continued in an open classification for all time. That is, any information coming to us or any report coming to us from any source will be thoroughly investigated, so that we will be able to either prove or disprove the allegation. We found in the course of our investigations that individuals have made statements. Yet, when we investigate they will frankly admit that the statement is an entire falsehood, or that they don't know why they wrote the letter or why they made the statement. But, nevertheless, we have the record and generally in those instances we try to get a signed statement from that individual so it can be made a part of the record.

Representative FORD. Under your authority from tne President, the authority which gave you the FBI, the responsibility to conduct this investigation it is not an authority with a terminal point. It is an authority that goes on indefinitely?

Mr. HOOVER. Very definitely so. The President wanted a full and thorough investigation made of this matter, and we have tried to do so. As I have stated, I think we will continue to receive allegations. I think this will be a matter of controversy for years to come, just like the Lincoln assassination. There will be questions raised by individuals, either for publicity purposes or otherwise, that will raise some new angle or new aspect of it. I think we must, and certainly we intend in the FBI to continue to run down any such allegations or reports of that kind.

Representative BOGGS. Mr. Chairman.

The CHAIRMAN. Yes, Congressman Boggs.

Representative BOGGS. Mr. Hoover, I don't want any cover—to cover any ground which has been covered but I just have one or two questions. First, let me say that you and the Bureau have been very cooperative with this Commission.

Mr. HOOVER. Thank you.

Representative BOGGS. And tremendously helpful. I have been concerned about some of these wild press reports and concerned about what impact it may have ultimately on the history of this thing. For instance there is a man named Buchanan who has written a series of articles.

Mr. DULLES. A book now. A book is out; yes.

Representative BOGGS. A book now. I understand they have been widely circulated in the European press, and this man came here and was, as I got it from some other sources, he took in some people here, some American journalists, and I am told that this man has a Communist background, and in addition to that is a most unreliable person. He has made these allegations that the Dallas police force was involved in the assassination and so on.

Would you have any suggestions on how this Commission should deal with this sort of thing?

Mr. HOOVER. We have received a request rrom the Commission to review that book and to make a report upon any portions of it that can be contradicted or substantiated by actual facts or documents. I know Buchanan's background. He worked on the Washington Star and he was dismissed from the Washington Star because he was a member of the Communist Party. He spent much of his time in recent years in France writing for French newspapers. I have fol-

lowed the articles that he has written about this matter and they are what I would call "journalistic garbage." There is not a scintilla of truth to most of the things he has written in these articles and in his book which I have had a chance to scan but haven't actually reviewed yet. It is being reviewed by my research section. Some of the allegations are utterly fantastic. I often wonder where some of these individuals get such ideas and why they make such statements without foundation.

Now, he makes many wild charges there, and to read it, a person not knowing him, or his views, or his background, would be inclined to wonder. I think you are going to have that problem, as I say, for years to come. I don't know how you can handle individuals like him other than to have the record clear upon the facts of the case, and either substantiate or disprove his statements. I don't think too much time should be given to these individuals who have such unsavory backgrounds as Buchanan has and who makes statements that have been proved to be untrue. But, at the same time I think when a book like that comes out or an article of that type comes out that deals with the assassination of the late President, I think it should be gone into from an investigative point of view. We should then submit to this Commission, even after it has concluded its hearings, for record purposes, what we have found in each particular instance.

Representative BOGGS. Now, on the other side of the fence——

Mr. DULLES. May I add one other thing just to interrupt. I wish you would add to your list a book called "The Red Roses of Dallas" by a man named Gun. He is a more reliable correspondent.

Mr. HOOVER. He is a Philadelphia correspondent.

Mr. DULLES. He has been living in this country since 1946. I have met him over here. Let's see, he was at Dallas at the time. He was then reporting, I think, for the Italian newspaper Epoca.

Mr. HOOVER. That is not the same one.

Mr. DULLES. He might have been lying. This book is full of lies. But I think it is a book that ought to be added, too, and I will see that a copy is sent to the Bureau.

Mr. HOOVER. I would appreciate that.

Representative BOGGS. On the other side of the spectrum some professor out at the University of Illinois wrote a piece in which he alleged the President was a Communist agent, President Kennedy, and Buchanan's allegations are that the extreme right assassinated the President and this fellow's allegations are that the Communists assassinated the President. Would you care to comment? Have you read that piece?

Mr. HOOVER. I have read that piece. My comment on it is this in general: I think the extreme right is just as much a danger to the freedom of this country as the extreme left. There are groups, organizations, and individuals on the extreme right who make these very violent statements, allegations that General Eisenhower was a Communist, disparaging references to the Chief Justice and at the other end of the spectrum you have these leftists who make wild statements charging almost anybody with being a Fascist or belonging to some of these so-called extreme right societies. Now, I have felt, and I have said publicly in speeches, that they are just as much a danger, at either end of the spectrum. They don't deal with facts. Anybody who will allege that General Eisenhower was a Communist agent, has something wrong with him.

A lot of people read such allegations because I get some of the weirdest letters wanting to know whether we have inquired to find out whether that is true. I have known General Eisenhower quite well myself and I have found him to be a sound, level-headed man.

In New York City there is a woman by the name of Kraus who must be mentally deranged as she stands on a Broadway corner there handing out leaflets in which she charges me with being in the conspiracy with the Communists to overthrow this Government and so forth.

Well now, if any person has fought communism, I certainly have fought it. We have tried to fight it and expose it in democratic ways I think that is the thing we have to very definitely keep in mind in this whole problem in the

security of the President and the successor to office. Just how far you are going to go for his protection and his security. I don't think you can get absolute security without almost establishing a police state, and we don't want that. You can't put security in a black groove or a white groove. It is in a gray groove, and certain chances have to be taken. You are dealing with a human being when you are dealing with the President of the United States. President Johnson is a very down to earth human being, and it makes the security problem all the more difficult, but you can't bar him from the people.

There are certain things that can be done, and I submitted a memorandum to the Secret Service, and to the White House on certain security steps that might be taken and tightened up. But you are dealing with the general public and that is what has given me great concern in the recent expansion, of the criteria for dissemination that we adopted after the assassination.

Prior to that time we reported to the Secret Service all information that dealt with individuals who were potential killers or by whom acts of violence might be anticipated. The Secret Service would take that information and would do with it as they saw fit. I gave great consideration to it because I am not very happy with the criteria expansion, but I felt we had to include subversives of various character, and extremists. We have, in turn, furnished their names to the Secret Service. I think 5,000 names up to the present time already have been submitted and there are at least three or four thousand more that will be submitted within the next few months.

Then you come to the problem of what you are going to do when the Secret Service gets those names. They have to call upon the local authorities. Just recently, in the city of Chicago, when the President was there, the local authorities were asked to give assistance as they usually do to the Secret Service and they went to the homes of some of these people, and it resulted really almost in a house arrest.

Now, I don't think there is any place in this country for that kind of thing, but these people who belonged to extreme subversive organizations or organizations that advocated the overthrow of government by force and violence were told that they couldn't leave their house or if they did they would be accompanied by a police officer. That gives me great concern because in New York City alone, you run into maybe three or four thousand such individuals who would be members of subversive organizations, and then you get into the twilight zone of subversive fronts.

Now, there again, merely because a man belongs to a subversive front organization, in my estimation doesn't mean that he is blacklisted and is a menace to the country for life. If he belongs to 20 of them, it certainly shows either one of two things, he is either very gullible and dumb or he is a menace. That has been my attitude in regard to Government service where you find a Government employee who belonged to one or two, maybe in his early days. I don't believe this necessarily makes him a security risk. Rather, this would be dependent on the degree of his activity in the front group and his purpose and intent in associating himself with it. But where he has belonged to 15, 18, 20 of them, I don't think he has enough good judgment to be in the Government.

Some ministers get drawn into organizations, some of which are under the domination of the Communist Party. Now, those ministers don't know that. They are just as loyal and patriotic as you and I are, but they happen to belong. Now, that is where the question of human judgment has to be used. We try to use it in selecting these names. But I was startled when I learned of the incident in Chicago because there you come pretty close to a house arrest and we don't want that. We don't want a gestapo. We have to, I think, maintain an even balance.

I think it was very well expressed—

Mr. DULLES. May I ask you, Mr. Hoover, was this house arrest based on names you had furnished the Secret Service and they furnished the local authorities?

Mr. HOOVER. Yes, sir.

Representative BOGGS. That brings me back to the question I think I heard

Congressman Ford ask you as I came into the room, because I think this is the crux of our investigation.

I read the FBI report very carefully and the whole implication of the report is that, number one, Oswald shot the President; number two, that he was not connected with any conspiracy of any kind, nature or description.

Mr. HOOVER. Correct.

Representative BOGGS. Do you still subscribe to that?

Mr. HOOVER. I subscribe to it even more strongly today than I did at the time that the report was written. You see, the original idea was that there would be an investigation by the FBI and a report would be prepared in such form that it could be released to the public.

Representative BOGGS. Surely.

Mr. HOOVER. Then a few days later, after further consideration, the President decided to form a commission, which I think was very wise, because I feel that the report of any agency of Government investigating what might be some shortcomings on the part of other agencies of Government ought to be reviewed by an impartial group such as this Commission. And the more I have read these reports, the more I am convinced that Oswald was the man who fired the gun; and he fired three times, killed the President, and wounded Governor Connally.

And I also am further convinced that there is absolutely no association between Oswald or Ruby. There was no such evidence ever established.

Mr. DULLES. Or Oswald and anybody else? Would you go that far?

Mr. HOOVER. Anybody else who might be——

Mr. DULLES. In connection with the assassination?

Mr. HOOVER. Yes; I would certainly go that far. There was suspicion at first this might be a Castro act.

Representative BOGGS. Right.

Mr. HOOVER. We had information that had been obtained in Mexico City by another intelligence agency indicating there was a man who had seen a certain amount of money passed to Oswald at the Cuban Consulate. I think it was $6,000 that was passed. We went into that very thoroughly. The man later retracted his statement and stated it was not true. He was asked whether he would take a lie detector test, and he did. The lie detector test showed that he was telling a lie.

As to the lie detector, I do want to make this comment on it. I have always held to the opinion that it is not a perfect piece of machinery. It is an interpretation made by human beings of what the machine, the polygraph, shows. I would never want to convict or to send to the penitentiary any person solely on the evidence of the lie detector. It is a contribution in an investigation, a more or less psychological contribution.

But I have seen individuals who have failed the lie detector test and who were just as innocent as they could be. That particular lead in Mexico City was completely disproved; there was no foundation for it.

We found no associations between Oswald and Ruby. There has been a story printed that Ruby and Oswald worked together and were close friends.

There was no evidence, there was never any indication that we could find that Oswald had ever been in Ruby's nightclub or had had any association with him.

Ruby comes from Chicago, he was on the fringe of what you might call the elements of the underworld there. He came to Dallas, opened up the nightclub and it was a place where, certainly not the better class of people went, but it wasn't any so-called "joint," to use the vernacular. It was just another nightclub. So far as we have been able to establish there was no relationship or contact between Oswald and Ruby or anyone else allegedly involved in this assassination.

Representative BOGGS. The FBI interviewed practically everybody who ever associated with Oswald?

Mr. HOOVER. It did.

Representative BOGGS. You didn't find any indication of why anyone should even suspect that Oswald would do this, did you?

slowly. It wasn't going at a high rate of speed, so that he had perfect opportunity to do it.

Now, some people have raised the question: Why didn't he shoot the President as the car came toward the storehouse where he was working?

The reason for that is, I think, the fact there were some trees between his window on the sixth floor and the cars as they turned and went through the park. So he waited until the car got out from under the trees, and the limbs, and then he had a perfectly clear view of the occupants of the car, and I think he took aim, either on the President or Connally, and I personally believe it was the President in view of the twisted mentality the man had.

But he had given no indication of that—we had interviewed him, I think, three times. Of course, our interviews were predicated to find out whether he had been recruited by the Russian intelligence service, because they frequently do that.

Representative BOGGS. And had he been?

Mr. HOOVER. He had not been, so he said, and we have no proof that he was. He had been over there long enough but they never gave him citizenship in Russia at all. I think they probably looked upon him more as a kind of a queer sort of individual and they didn't trust him too strongly.

But just the day before yesterday information came to me indicating that there is an espionage training school outside of Minsk—I don't know whether it is true—and that he was trained at that school to come back to this country to become what they call a "sleeper," that is a man who will remain dormant for 3 or 4 years and in case of international hostilities rise up and be used.

I don't know of any espionage school at Minsk or near Minsk, and I don't know how you could find out if there ever was one because the Russians won't tell you if you asked them.

They do have espionage and sabotage schools in Russia and they do have an assassination squad that is used by them but there is no indication he had any association with anything of that kind.

Representative BOGGS. Now we have some people, including this man's mother, talk about Oswald having been an agent of the Government of the United States. I think his mother mentioned the CIA; she has made these statements publicly for money, apparently.

Mr. HOOVER. Yes; she has.

Representative BOGGS. Just for the purpose of the record, I think it would be well if you would comment on that, Mr. Director.

Mr. HOOVER. Of course, we have interviewed his mother and his wife, and all his relatives, and everybody that he is known to have associated with. His mother I would put in a category of being emotionally unstable. She has been around the country making speeches, and the first indication of her emotional instability was the retaining of a lawyer that anyone would not have retained if they really were serious in trying to get down to the facts. But she has been in New York City; she has been in Chicago; I think other parts of the country, always speaking for money.

Now, that kind of an individual is the type we have seen over the years, who will say almost anything to draw a crowd. Just to be able to say something sensational. Many times we have gone out to such people and asked them specifically, "Now, what is your basis for this?" And they will say, "Well, I just had a feeling that that was true, so I said it."

She has never made that statement to us, but we have many other instances where that kind of statement is made. They don't have the legal evidence that you must have if you are going to take any positive action. I would put very little credence in anything that his mother said.

I think his wife was a far more reliable person in statements that she made, so far as we were able to ascertain, than his mother. I think the mother had in mind, naturally, the fact she wanted to clear her son's name, which was a natural instinct, but more importantly she was going to see how much money she could make, and I believe she has made a substantial sum.

Representative BOGGS. And the allegations she has made about this man being an agent either of the CIA or the FBI are false?

Mr. HOOVER. Well, I can certainly speak for the FBI that it is false, and I

have discussed the matter, naturally, with Mr. McCone, the Director of CIA, and he, of course, will no doubt appear himself, but there is no indication at all that he was employed by them. We frequently get that kind of a story from individuals who, when they get into some kind of difficulty, will claim they were working for the CIA or they were working for the FBI.

Representative BOGGS. Surely.

Mr. HOOVER. Now, no one can work for the FBI without the approval being given at Washington and a record kept of it, even of the confidential informants. That is very tightly controlled. We have no so-called lump sum that we can use to hire people. So there has to be a voucher and specific details of payment. And I know at no time was he an informant or agent or a special employee or working in any capacity for the FBI.

As to the interviews we had with him in which he gave us some information, some of it was not the truth, but this was not particularly significant. The interviews we had with him I would not term as talking with an informant. He was interviewed while under arrest by the New Orleans police, and then after he had committed this act of assassination we interviewed him in police headquarters in Dallas. But they were the only contacts we had, I think four contacts altogether, and he received no money of any kind, no promise of any kind, and there was no indication that he was rendering assistance to the U.S. Government. We looked upon him as a criminal after the assassination, of course, and prior to that time we looked upon him as an individual who we suspected might become an agent of the Soviet government. There was no proof of that, and we checked him carefully.

We knew of his contact with the Soviet Embassy here at Washington, his contact with the Fair Play for Cuba Committee in New York, and his contact with the Worker publication in New York. And none of those contacts gave any indication of any tendency to commit violence.

There are many people who read the Daily Worker, or what is now the Worker, and you certainly can't brand them as hazards to the security of the country or as potential assassins. It is in that area that I am particularly concerned that we don't become hysterical and go too far in restricting the citizens of our country from exercising their civil and constitutional rights. The mere fact a person disagrees with you in a matter on communism doesn't mean he should be arrested. Many Communists make very violent speeches, and we know them, but I don't feel that the time has come that they should be arrested. If they have violated the laws of the United States, we will, then, proceed with prosecution, and the cases can then go through the courts. Such cases last for years before they get to the Supreme Court, and even then such cases often start over on some legal angle. But, all in all, I think that the enforcement of security and the enforcement of laws dealing with subversion ought to be handled in the American manner.

I am criticized by the extreme right for that. They put me in the category, I guess, along with General Eisenhower. But the extreme left criticizes me, saying I believe that any person who has on a red necktie may be addicted to communism, and, therefore, is a great danger. That is why I say the extremists at both ends are bad, and I have repeated that several times publicly.

Representative BOGGS. No doubt about the problem being a difficult one. I remember some years back when these fanatics started shooting up the House of Representatives.

Mr. HOOVER. I recall that.

Representative BOGGS. I happened to be there on the occasion and there were many suggestions that we build a bulletproof glass enclosure around the Members of Congress and so on. Of course, all of us rejected those ideas because it would be totally incompatible with our democratic institutions and this, obviously, becomes a problem in the security of the President; that is what you are telling us, isn't it?

Mr. HOOVER. That is the great problem. We have participated in the protection of the President since the assassination. The Secret Service indicates how many agents it needs when the President is traveling somewhere or going somewhere in Washington, and then I assign that number of agents to the Secret Service. They are not under my direction. They are under the direction

of the Secret Service because under law they are charged with the protection of the President. We have never done that before, but I felt that it was something we must do if the Secret Service desired it. Sometimes, such as at the funeral of the late President Kennedy, the procession walked up Connecticut Avenue, which created a very, very grave security problem because they were walking with these tall building on either side. As I recall, we had the responsibility for the Cathedral, and we had 43 agents in the Cathedral during the services. I was more concerned about these tall buildings, because all the small buildings have been torn down along Connecticut Avenue, and there were about six or seven blocks to walk. Not only the high officials of this Government, including the President, but the Queen of Greece, General de Gaulle, Emperor Haile Selassie, and many Prime Ministers were present. They were a perfect target for someone in some window.

Now, you can't empty these buildings. It is impossible to do that, because you can't go to the Mayflower Hotel and say all front rooms must be vacated. Other office buildings are there, even taller than the Mayflower, and you can't make them keep everybody out of the front offices because then you get into a police state.

The Secret Service does try to check to find out who have these various offices. We also check so if there is anything in our files on those individuals the Secret Service is at once advised. When the President goes to a banquet or a social occasion, all of the employees in the hotel, the cooks, waiters, and busboys, and so forth, are all checked by Secret Service to be certain there is no one with a background that would indicate a hazard to the President. But that is as far as I think you can go. You can't put in a whole new staff of waiters and you can't make people move out. People going to a Presidential function are generally invited by card or by list and that is very carefully checked at the entrance by the Secret Service.

We suggested a few more things that possibly could be done, and some of which I have doubts about. You speak about this matter of glass around the galleries in the House. One of the suggestions that we made was that there be bulletproof glass in front of the President's lectern. In my own mind, I question whether that is wise. Knowing this President as this President is, he wants to get close to the audience; he wants to reach over and shake hands with people. That concerns me because you never know when an emotionally unstable person may be in that crowd. As you noted, he has frequently brought groups into the White House gardens and walked around with people he didn't know. I know the Secret Service people are concerned about it. I am concerned about it.

President Truman last week expressed his concern that the President was taking unnecessary chances.

But the governmental agency having the responsibility for guarding him, the Secret Service, has a natural hesitancy to say, "You can't do this."

Representative Boggs. Of course, for the record, President Kennedy had the same difficulty.

Mr. Hoover. That is right. It was best expressed at Parkland Hospital. One of President Kennedy's staff made the statement that the whole fault in this matter was that, in the choice between politics and security, politics was chosen. That is exactly what happened. It was an open car. I am thoroughly opposed to the President riding in an open car.

They did not have any armored car in the Secret Service at that time. I have now sent one of our armored cars over for the President, but it is a closed limousine. But on occasion, such as at Gettysburg and Atlanta the other day, the President got out of the armored car which had been flown there for his use, and commandeered the car of the Secret Service which is wide open, so he could wave and see the people. Now, that is a great hazard. I think he should always be in an armored car that is closed, that can't have the top put down. But as you recall, President Kennedy had the bubble top off of the car that he was in. It was not armored and the bubble top was made of plastic so a bullet could have gone through it very easily.

Representative Ford. Mr. Hoover, you have categorically testified that the

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FBI never at any time had Oswald as an agent, as an informant, or in any other way.

Mr. HOOVER. That is correct. I couldn't make it more emphatic.

Representative FORD. And Mr. Belmont testified to the same last week when he was before us.

Mr. HOOVER. Yes, sir.

Representative FORD. Both you and he would be fully familiar with all of the records of the FBI in this regard?

Mr. HOOVER. We would, and we would not only be fully familiar with it because while Mr. Belmont is in charge of the Investigative Branch of the Bureau—we have two assistants to the Director, one in charge of administrative work and the other in charge of investigative work—we have also checked the administrative records where vouchers or payments would have been made and there is no indication that any money was ever paid to Oswald. We have obtained, and they are on file with the Commission, the affidavits of the agents, who at various times were in contact with Oswald, to the effect that he was not an informant; that they had never paid him anything; that he was being questioned as to possible recruitment by the Soviet intelligence; so there was no evidence at any time indicating employment by the FBI.

Representative FORD. And you were not under any limitation or restriction from any other authority in this regard?

Mr. HOOVER. Absolutely not. I have the entire control of whether a man shall be an informant or shall not be an informant. That comes under my chain of command from the local office which has the matter at hand. They can't just put on an informant without our approval. The recommendation on security informants comes to the Bureau; it goes through the Assistant Director of the Domestic Intelligence Division, and, in significant cases, goes to Mr. Belmont, and then to my desk for my specific approval. So I, or my seat-of-government staff, have to approve every one of those who are used as informants in all classes of cases, not only in intelligence cases but in white-slave cases, automobile thefts, and all of these cases.

Representative FORD. There is no limitation on what you can tell us about this situation?

Mr. HOOVER. None whatsoever.

Representative FORD. No limitation; no restrictions?

Mr. HOOVER. No restriction. So far as the record of vouchers in the Bureau are concerned, they are open to the inspection of this Commission at any time going back as far as you may want to go.

Senator COOPER. May I ask just one question there? I think you have answered it, but in your examination of this aspect as to whether or not Oswald was an informer or employee or held any relationship to the FBI, you, yourself, have looked into all of the means you have of determining that fact when you make the statement to us?

Mr. HOOVER. I have personally looked into that for two reasons: Because the President asked me personally to take charge of this investigation and to direct it, and I knew that the report ultimately would be made to him. For that reason I became familiar with every step and every action that was taken. Then when the allegation was made by someone—I think it was the mother of Oswald first, if I recall correctly—that he was employed by some Government agency, the CIA, or FBI, and maybe both, I insisted upon a check being made and any record showing any indication of that being brought to me. When they could find none, I then asked for affidavits from the field force that had dealt with Oswald as to whether they had hired him or paid him anything or given him anything, and the affidavits are on file here that they had not.

Senator COOPER. I think you have said there is no sum available to the FBI which would enable these men, these agents, to employ him out of any funds that are made available to them.

Mr. HOOVER. Oh, no; it must be done by voucher, and those vouchers are examined by the General Accounting Office every year or so. We have no lump sum in the field offices for employment of informants as such which is not supported by vouchers.

Senator COOPER. I have just about two questions, I may have to go in a few

minutes to the Senate. I would like to direct your attention to that period of time when Oswald was a defector, beginning when he left the United States and when he returned.

Mr. HOOVER. Yes, sir.

Senator COOPER. During that period, did the FBI have any jurisdiction over intelligence regarding him, or any capacity to know?

Mr. HOOVER. While he was in Russia?

Senator COOPER. Yes.

Mr. HOOVER. No; we did not. We were interested in knowing what he might say in Russia that appeared in the press. That was our first intimation that this man had defected, when we read it in a newspaper article. We were, of course, interested in knowing when he would return or if he would return. We had no jurisdiction as to what he was doing in Russia after he had gone there.

Senator COOPER. As I understand it, you had no capacity at that time to follow his activities?

Mr. HOOVER. That is true. We have no agents in Russia. Foreign intelligence is handled by the Central Intelligence Agency, and our responsibility is domestic. We work very closely together.

Senator COOPER. Have you had the jurisdiction since the assassination or the occasion to examine persons connected with the State Department concerning the activities of Oswald in Russia?

Mr. HOOVER. Well——

Senator COOPER. Would that be a matter for some other agency?

Mr. HOOVER. That could be a matter for CIA or for us after Oswald had returned here.

Senator COOPER. Yes.

Mr. HOOVER. Then he becomes a civilian in the country here. Now, there is what we call a delimitation agreement among the Government intelligence agencies. For instance, the military branches of the Government have their own intelligence services and they handle all military deviations in regard to espionage or things of that kind. If they want our assistance and ask for it we, of course, will always cooperate. In regard to CIA, there are many cases which CIA and the FBI work jointly on, of individuals that may have been recruited over in Europe by the CIA, not by us, because we don't have authority to do that abroad, but when that man comes to this country, the best ends of intelligence are served by having the two agencies work very closely together, conduct joint interviews, and exchange information very, very freely. That has been going on ever since I can recall CIA being existence.

Mr. DULLES. I would like to testify to the fact that that cooperation existed during the whole period I was Director, and I am sure it has continued now with great cooperation on both sides.

Mr. HOOVER. It is a very necessary thing, because the intelligence agency of many of these foreign countries will cover the whole world and the country itself. Whereas in this country you have separate agencies covering espionage activities. CIA covers the foreign activity, and the FBI the domestic activities, and they must be interlocking. An espionage agent of the Soviet Government can arrive in New York today by plane from Paris and he can be in Mexico City tomorrow. Then, CIA would pick him up there. We would not pick him up there. We would watch him while in this country, but as soon as he takes that plane and leaves the United States CIA moves in on him. If he comes back to the United States, we move in on him. Therefore, we have a very close liaison.

As a matter of fact, what we have done in government agencies is to have a liaison agent in our Bureau assigned to contact CIA, the Pentagon, State Department, and various other agencies to cut out the red tape of writing letters back and forth. In order to orally relay information which has come to his attention, our representative can immediately phone it over to the FBI, and if there is need, for instance, to meet a plane coming in to New York or a boat that is docking at New York, it is all accomplished within a matter of 45 minutes or an hour.

If you went through this letter-writing process and the paper war that goes on so often in the Government it might take a week or 10 days.

The FBI does have 10 legal attaches attached to 10 embassies abroad. Their purpose is not operational. They don't investigate in those countries any matters that have to be investigated. That, if it is to be done, is handled by CIA. Our purpose in being there is to maintain liaison with our opposite number such as the Surete Nationale in France and with the national police in the Philippines, to exchange information that is vital to our internal security, and also vital to the internal security of the other country.

Senator COOPER. May I ask one other question?

Is there any, considering the number of defectors in the United States to Communist countries, which cannot be large, I would assume——

Mr. HOOVER. I think there are about 36.

Senator COOPER. Which would indicate, I would think either a lack of reliability on their part and stability or beyond that a dedicated purpose to become Communists, then upon their return, wouldn't it seem to you they should be given some special attention?

Mr. HOOVER. We have now———

Senator COOPER. To determine whether they are a risk to become Soviet or Communist espionage agents or in fact become dangerous?

Mr. HOOVER. We have taken steps to plug that gap.

Prior to the assassination of the President, a defector, before he came back was always cleared for return by a representative of the State Department or the military abroad. When he came back we immediately interviewed him if he was a civilian. It had to be done promptly to determine whether he could be a potential intelligence agent.

Now, in December of last year, following the assassination, we expanded the criteria of what should be furnished to the Secret Service, and all defectors automatically go on the list to be furnished to the Secret Service.

There are 36 defectors that we know of in this country who have been under investigation. Some of those men may have changed their views sincerely. Some of them may not have. But as a matter of general precaution, as a result of the Oswald situation, we are seeing that all go to the Secret Service.

Mr. DULLES. That includes military defectors, does it not?

Mr. HOOVER. Military defectors and defectors from any private agency, after they return to the U.S. and become civilians. Some have defected to China, to the satellite nations and to Russia.

Senator COOPER. Just one other question, because I have to go.

In the course of this investigation, as you know so well, there have been a number identified who were very close, at least to Mrs. Oswald, and a few, I can't say that were close to Oswald yet they had association with him, such as the man who drove him back and forth, Mrs. Paine, with whom Mrs. Oswald lived, and others, has there been any credible, I won't say credible because if you had you would have presented it to us in your report, has there been any claims by persons that these people are in any way related to the Communist Party?

Mr. HOOVER. We have had no credible evidence that they have been related to the Communist Party in this country.

Now, as to Mrs. Oswald, the wife of Oswald, there is no way of knowing whether she belonged to the Russian Communist Party in Russia. She is a rather intelligent woman, and notwithstanding that you have to talk with her through an interpreter, we have had no indication of her association with Communists in this country, nor have any of her close friends or relatives.

As to his mother, we found no indication she is associated or closely associated with the Communists. She is the only one of the group that we have come in contact with that I would say is somewhat emotionally unstable. Our agents have interviewed her. She sometimes gets very angry and she won't answer questions. As to the rest of the group who had been friends of his, or worked with him in the Texas School Book Depository, none of them have indicated any Communist associations of any kind.

Senator COOPER. Thank you.

Mr. HOOVER. Thank you.

Mr. RANKIN. Mr. Hoover, I hand you Exhibit 863 and ask you to examine that and state whether or not that is the letter that you referred to in which you answered questions of the Commission concerning the National Enquirer magazine or newspaper?

Mr. HOOVER. This letter of May 8 addressed to the Commission is the letter that dealt with our interview with Chief Curry and was predicated upon the article which appeared in the National Enquirer of May 17, 1964.

Mr. RANKIN. I ask you if you would care to add anything to that letter except what you have already testified to?

Mr. HOOVER. No; I have nothing to add to that. Chief Curry was very specific, I am told by my agent in charge at Dallas, that this article is an absolute lie; that none of these things set forth in the article occurred; that he received no phone call or any request of any kind oral or by phone or in writing from the Department of Justice or from the FBI. As I stated earlier, the report from the Department of Justice indicated that they made no request.

Mr. RANKIN. Mr. Chairman, I offer in evidence Exhibit 863, being the letter just referred to.

The CHAIRMAN. It may be admitted.

(The document referred to was marked Commission Exhibit No. 863 for identification and received in evidence.)

Mr. RANKIN. Mr. Hoover, is Exhibit 837 the article that you referred to in the National Enquirer?

Mr. HOOVER. Yes; that is the one.

Mr. RANKIN. I call your attention to Exhibit 836 and ask you if that is the letter that you referred to which describes the criteria in the handling of the security of the President that you have described in your testimony.

Mr. HOOVER. This is the letter. It sets forth the criteria which were adopted, originally about 1942 and later incorporated in the manual of instructions in 1954. It also includes the amended instructions to our field offices, prepared in December of 1963, which extended the criteria.

Mr. RANKIN. Does that Exhibit correctly set forth the information you had in regard to those matters?

Mr. HOOVER. It does.

Mr. RANKIN. Do you care to add anything to it?

Mr. HOOVER. No; I have nothing to add to it at all.

Mr. RANKIN. Now, in light of what happened. Mr. Hoover, I think the Commission would desire to have your comments or whatever you care to tell them, concerning the reasons why you did not furnish the information you had concerning Lee Harvey Oswald to the Secret Service prior to the time of the President's assassination.

Mr. HOOVER. Well, I have gone into that very thoroughly because that was obviously one of the questions that I had in my mind when the tragedy occurred in Dallas.

In going back over the record, and I have read each one of the reports dealing with that and the reports of Mr. Hosty who had dealt with the Oswald situation largely in Dallas, we had the matter that I have previously referred to, the report of the State Department that indicated this man was a thoroughly safe risk, he had changed his views, he was a loyal man now and had seen the light of day, so to speak.

How intensive or how extensive that interview in Moscow was, I don't know. But, nevertheless, it was in a State Department document that was furnished to us.

Now, we interviewed Oswald a few days after he arrived. We did not interview him on arrival at the port of entry because that is always undesirable by reason of the fact it is heavily covered by press, and any relatives generally are there, so we prefer to do it after the man has settled down for two or three days and become composed. We do it in the privacy of our office or wherever he may be, or in his own home or apartment. We interviewed him twice in regard to that angle that we were looking for. We had no indication at this time of anything other than his so-called Marxist leanings, Marxist beliefs.

We wanted to know whether he had been recruited by the Soviet government as an intelligence agent, which is a frequent and constant practice. There is not a year goes by but that individuals and groups of individuals, sometimes on these cultural exchanges, go through Russia and recruits are enlisted by the Russian intelligence, usually through blackmail. The individual is threatened that if he doesn't come back to this country and work for them they will expose the fact that he is a homosexual or a degenerate or has been indiscrete.

Pictures are usually taken of individuals who become implicated in that sort of thing, so the individual is really desperate. Such blackmail has occurred year after year for some time.

In Oswald's case we had no suspicion that any pressure like that had been brought to bear on him because he had gone voluntarily and had obviously wanted to live in Russia and had married a Russian woman.

After those interviews had been completed, the next incident was the difficulty he had at New Orleans. We were concerned there as to whether he was functioning officially for the Fair Play for Cuba Committee which was financed and supported by Castro and Castro's government, and if he was, where he obtained money and with whom he had dealt.

He apparently had the leaflets printed himself on plain ordinary paper. There was no reason for us, then, to have any suspicion that he had any element of danger in him.

However, we did not ignore or forget the fact that he was still in the country. We kept track of him when he went from New Orleans to Dallas, and that was one of the reasons why Hosty went to the home of Mrs. Paine. She told us where Oswald was working, at the Texas book house. Hosty gave her his telephone number and his name so that if there was any information or any contact she wanted to make she could phone him at the Dallas office.

Mrs. Oswald, the wife, took down the license number of Hosty's car which was incorrect only in one digit. The name, the telephone number, and the automobile license were later found in Oswald's memorandum book.

However, that in itself was not significant because many times we will go to see a person and tell him now, "If you think of anything you want to tell us or you have any information you want to give us, here are my name and address, telephone number, and call me," and that is what was done with Mrs. Paine because Hosty wasn't there at the time. He was at work.

Incidentally, those items in Oswald's notebook requiring investigative attention were first set out in an investigative report of our Dallas Office dated December 23, 1963. This report was not prepared for this Commission but rather for investigative purposes of the FBI and, therefore, the information concerning Hosty's name, telephone number and license number was not included in the report as the circumstances under which Hosty's name, et cetera, appeared in Oswald's notebook were fully known to the FBI.

After our investigative report of December 23, 1963, was furnished to the Commission, we noted that Agent Hosty's name did not appear in the report. In order that there would be a complete reporting of all items in Oswald's notebook, this information was incorporated in another investigative report of our Dallas Office, dated February 11, 1964. Both of the above-mentioned reports were furnished to the Commission prior to any inquiry concerning this matter by the President's Commission.

There was nothing up to the time of the assassination that gave any indication that this man was a dangerous character who might do harm to the President or to the Vice President. Up to that time, as has been indicated.

Mr. RANKIN. Mr. Hoover, may I interrupt, you said Hosty was not there at the time, he was at work—did you mean Mr. Oswald?

Mr. HOOVER. That was my mistake. I meant Mr. Oswald. Hosty talked with Mrs. Paine and Mrs. Oswald. Mrs. Paine speaks Russian and she could interpret for her.

Oswald was at the Texas Book Co., and then, as I say, Hosty left his telephone number and name, and Mrs. Oswald for some reason took down the license number. I don't know whether she was convinced this was an agent of the FBI, or why she did it.

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But, anyway, that was in the book that was later found, and which contained many other things that Oswald had entered in the book.

Now, as I say, up to that time, there had been no information that would have warranted our reporting him as a potential danger or hazard to the security or the safety of the President or the Vice President, so his name was not furnished at the time to Secret Service.

Under the new criteria which we have now put into force and effect, it would have been furnished because we now include all defectors. As to the original criteria, which we felt were sound and sufficient and which we felt no one, not even the most extreme civil rights proponent could take exception to, we limited the furnishing of names to S.S. to persons potentially dangerous to the physical well being of the President. We included emotionally unstable people who had threatened the President or Vice President.

At my office during the course of a week there are sometimes three or four callers who have to be taken to a Hospital because of their mental condition. They claim they are being persecuted by radio beams and they want to see me or the President to have those beams stopped. Now you never know what tangent they are going to take. If such a person is living in some part of the country where the President may be going his name would be furnished to the Secret Service.

One car last year, I think, crashed through the gates of the White House; the person driving wanted to see the President. The guard wouldn't let him in and so the car crashed through and got within 20 feet of the first door. The guards, by that time, had their revolvers out and took him into custody.

Last year a gentleman drove all the way from Arizona to see me. He drove up the marble steps of the Department of Justice, and by that time the guards had come out and took him into custody. I think he was incarcerated in Arizona.

People of this type are among those we would have furnished to the Secret Service. They have the potential to harm somebody.

We get names from members of Congress, of people who come to the Capitol and try to threaten them or harass them. They let us know about it, and we make the investigation or advise the police. If we can get the family to have the person put into an institution, we try to do so. If they don't, we may take steps to have him incarcerated through other legal means.

Mr. DULLES. How many names, Mr. Director, in general, could the Secret Service process? Aren't their facilities limited as to dealing with vast numbers of names because of their limited personnel?

Mr. HOOVER. I think they are extremely limited. The Secret Service is a very small organization and that is why we are fortifying them, so to speak, or supplementing them by assigning agents of our Bureau which is, of course, quite a burden on us. Our agents are assigned about 24 to 25 cases per agent and cover such involved matters as bankruptcy and antitrust cases.

Now, the Secret Service has a very small group and I would estimate that the names we have sent over number some 5,000. I would guess there are about another 4,000 that will go over in the next month to them. Frankly, I don't see how they can go out and recheck those names. We keep the records up to date; if additional information comes in on these names we furnish it to the Secret Service. They will have to call upon the local authorities, unless the Secret Service force is enlarged considerably so that they can handle it entirely on their own. I think the Secret Service is entirely too small a force today to handle the duties that they are handling. The great crowds that are at the White House all the time, around the gates, that go to church where the President goes, all of those things, of course, have to be checked over by them. They always check in advance and just recently, a few Sundays ago, they found some individuals in the basement of St. Mark's church in Washington, where he was going to attend on Sunday morning. His arrival was held up until they could ascertain who they were. They were deaf mutes whose identity had not been cleared with the Secret Service.

Now, the Presidential party was delayed about 5 or 10 minutes in reaching the church by reason of the radio call to the White House to hold it up.

We are giving to Secret Service more and more names. The total, in addition to the names they already had, will reach 10,000. I don't see how they are

going to be able to handle the situation as they would want to handle it. They have to depend upon local police organizations. Many local police departments are capable and efficient; some are not. Many have good judgment and some have not. Wherever you have a police department of 10,000, 15,000, 20,000 men you are bound to find a few who will just barge in and do something which better judgment would dictate should not be done, as in the incident which occurred in the Midwest where they placed people practically under house arrest. I think it was very bad judgment and should not have been done but the Secret Service, of course, turned the names over to the local authorities, and the local authorities do what they think is right.

Now, I guess their attitude with all justice to them is, "Well, we will resolve the risk in our favor. If we keep these people under surveillance and keep them in the house until the President gets out of town nothing can happen from them." That is what you would call totalitarian security. I don't think you can have that kind of security in this country without having a great wave of criticism against it. There is a great tendency for people to expect the intelligence forces and the law enforcement agencies to be able to go out and arrest people and bring them in and hold them endlessly and talk to them. We can't arrest a person, without probable cause, or unless he commits a crime in our presence. We have to arraign him promptly and if not done promptly, the confession that he may have made generally cannot be used against him.

Just as a collateral matter we faced that problem in California in the case of the kidnapping of Frank Sinatra, Jr. One of the kidnappers we arrested near San Diego confessed but we didn't arraign him because the other kidnappers would have left California and it would have been difficult to find them. However, the next day after arraignment he made changes in the confession and signed it so the court held that it was admissible.

The Secret Service, of course, is faced with the same problem. They just can't arrest people because they may not like their looks. They have to have facts justifying detention but the public conception is that you have a full right to go out and do these things. We have stressed in the FBI that there must be full compliance with the laws of this country and with the decisions of the Supreme Court. That is the law of the country. Now, whether a person likes it or not and there are some groups that are very violent against the decisions of the court while others are very much in favor of them, it is not for the FBI to take sides. We have a job to do and we do it under the rulings of the courts and we have been able to do it effectively.

I know when the ruling came down on the prompt arraignment, there was great shouting and some strong editorials claiming that it was going to wreck law enforcement. It hasn't wrecked us. It has made it more difficult but I think we have to face up to the fact that law enforcement in a free country must abide by the laws of that country irrespective of how difficult it is. Some persons talk about putting handcuffs on the law enforcement officers and taking them off the criminals. That is a nice catch phrase to use in a speech or article but operating within the law has not interfered with our work.

Mr. RANKIN. Mr. Hoover, I ask you about Exhibit 825 which is first a letter and then encloses certain affidavits of your agents.

Mr. HOOVER. Yes, sir.

Mr. RANKIN. You are familiar with that?

Mr. HOOVER. I am familiar with that. I read all of that and signed it.

Mr. RANKIN. You know those are the affidavits in regard to whether Lee Harvey Oswald was an agent or connected in anyway with the Bureau that you have just testified to?

Mr. HOOVER. That is correct; and the affidavits of all agents, who had any contact with him.

Mr. RANKIN. I call your attention to Exhibits 864 and 865, and ask you if you have seen those before or, you have seen the original of 864 and 865 is a photostatic copy of your letter to us in answer to 864, is that correct?

Mr. HOOVER. That is correct; yes. I recall very distinctly.

Mr. RANKIN. Do you recall those letters involved an inquiry as to any connections of Lee Harvey Oswald with Communists or any criminal groups or others that might be conspiratorial?

refrained from further comment but of course by that time the identification of the gun was known, the caliber of the gun, where it had come from, where it had been bought and the information we had run down in Chicago and had furnished to the Dallas Police Department.

If the case had been in the hands of the FBI none of that information would have been given out: Because of the publicity you had to face the charge that the prejudice of the community would require a change of venue. With the publicity, I don't know where you could have changed the venue to, since newspapers all over the State covered it. I think a Houston reporter was the first one who wrote that Oswald was an informant of the FBI. We went to the newspaper reporter. He refused to tell us his source. He said he had also heard it from other persons. We asked him the names of these persons and we interviewed them but none of them would provide the source. In other words, I was trying to nail down where this lie started. That, of course, is always the result where you are daily giving out press interviews because the press wants stories desperately. We have always adopted the policy in the Bureau of no comment until we have the warrant and make the arrest. Then a release is prepared briefly stating what the facts are, what the written complaint says, the fact. The complaint was filed with the Commissioner, and that ends it. We don't try to run it out for a week or 10 days, It is up to the U.S. attorney thereafter and the court to try the case.

I was concerned about the demand for change of venue, because all the evidence was being given out. At that time, of course, we didn't know that Oswald was going to be killed, and there was a possibility that he might be confronted with some of this evidence. If it had been kept secret and used in the interrogation of him, just confronting him with what was found, such as his picture with the gun might have been helpful.

A small thing can often make a man break and come forward with a full confession. If he knows in advance that you have certain evidence he will be on guard against answering questions. Of course, he is always advised of his rights and that he can have an attorney. We always make a point of this. We generally have a reputable physician of the community present in our office while the prisoner is there, to administer to him and be able to testify that he has not been subjected to third degree methods. He is examined when he comes in and he is examined before we take him to the commissioner. Taking him before the commissioner in a case like Oswald's would probably have been done within 4 or 5 hours. Generally we try to arraign a prisoner within an hour.

That makes it more difficult; you have to work faster. But again I say I am in favor of having the procedures of law enforcement officers as tightly bound down as we can, with due respect for the interests of society.

Of course, there must be an equal balance. For years we have had a rule against third degree methods, but years ago many police departments used the third degree. I think very few of them use it now because if they use it they violate the civil rights statutes and we investigate them for having brutally handled a prisoner. Many allegations are made unfairly against police officers that they have used third degree methods and we are able to prove they haven't in our investigations. That is particularly true where civil rights matters are involved. We have such cases in many areas where civil rights agitation is going on.

Mr. RANKIN. Mr. Hoover, to remind you of my question, any suggestions that you may have concerning the protection of the President, and the information that the Commission has that you have a special appropriation in that connection for the Bureau?

Mr. HOOVER. We do not have a special appropriation for the protection of the President. The Secret Service, of course, has that responsibility. On December 2, I prepared this memorandum for the President, and for the chief of the Secret Service at the request of the President, outlining suggestions that I felt should be considered to tighten up on the security of the President. If the Commission desires I will be glad to leave this or I will be glad to read it to the Commission.

Representative BOGGS. Why don't you ask the Director just to summarize it.

Mr. RANKIN. Will you summarize it?

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Mr. DULLES. Can we have a copy of it?

Mr. HOOVER. Oh, yes.

Representative FORD. Could the copy be put in the record as an exhibit?

Mr. HOOVER. Yes, sir; that is all right with me. I have no objection to it.

Regarding travel, first, advise the Secret Service as far in advance as possible of the President's travel plans and proposed itinerary. The reason for that is there have been Presidents who suddenly decide they are going somewhere and the Secret Service does not have the chance always to cover the area and check the neighborhood and check the hotel or place where it may be.

Representative BOGGS. You have one like that right now, Mr. Director.

Mr. HOOVER. I know from experience.

Second, avoid publicizing exact routes of travel as long as possible. Again, it has been the practice in the past to announce the President is going along a certain route and, therefore, great crowds will gather along that route. And, therefore, I thought that was something that should not be given out and the President should be taken along some routes which are not announced. At the present time, he goes to cities and he wants to see people and the crowd wants to see him. In Dallas, the route was publicized at least 24 hours before so everybody knew where he would be driving.

Third, use a specially armored car with bulletproof glass and have such cars readily available in locations frequently visited. The President, as I observed earlier in my testimony, had no armored car. He has one now which I supplied to Secret Service and they will have one made no doubt in due time for the President's use. But if it had been armored, I believe President Kennedy would be alive today.

Fourth, avoid setting a specific pattern of travel or other activity such as visiting the same church at the same time each Sunday.

Regarding public appearances. First, use maximum feasible screening of persons in attendance including use of detection devices sensitive to the amount of metal required in a firearm or grenade.

Second, use a bulletproof shield in front of the entire rostrum in public appearances such as the swearing in ceremony at the Capitol on inauguration day, the presidential reviewing stand in front of the White House on the same day and on the rear of trains.

Third, keep to a minimum the President's movements within crowds, remain on the rostrum after the public addresses rather than mingling with the audience. Again, there is great difficulty in that field.

Fourth, in appearances at public sporting events such as football games, remain in one place rather than changing sides during half-time ceremonies.

(Discussion off the record.)

Mr. DULLES. About the armored car you said if Kennedy had an armored car that might have saved him. Would the back of the armored car have some protection to protect his head?

Mr. HOOVER. Oh, yes.

Mr. DULLES. Because if the armored car had been open——

Mr. HOOVER. He must never ride in an open car; that has been my recommendation.

Mr. DULLES. The back never comes down?

Mr. HOOVER. The back never comes down, and it is bulletproof. The top, sides, and underpart are all of bulletproof construction. So that except by opening a window and waving through the window the occupant is safe. A person can shoot through the window if the glass window is lowered.

Fifth, limit public appearances by use of television whenever possible.

Sixth, avoid walking in public except when absolutely necessary.

Now, on legislation. First, I recommended that the President and the Vice President be added to the list of Federal officers set out in section 1114, title 18 of the U.S. Code which deals with assaults which are punishable under Federal law.

Mr. RANKIN. You would add to that I understood from your prior remarks, the Speaker and the President Pro Tempore?

Mr. HOOVER. In view of the situation which prevails at the present time the

Speaker and President pro tempore, in other words, the line of succession under the Constitution but not below that.

(Discussion off the record.)

Mr. HOOVER. Second, furnish the Secret Service authority to request assistance and cooperation from other U.S. agencies including the military, particularly in connection with foreign travel.

Now, my reason for that is that sometimes requests for assistance have to clear through red-tape channels here at Washington through some high official of Government. If an emergency arises abroad, or even in this country, it may be of such character that you do not have time to telephone back to Washington or to telephone back to the Pentagon. Aid ought to be immediately available by calling on the local authorities and the nearest military authority.

Third, improve control of the sale of firearms requiring as a minimum registration of every firearm sold together with adequate identification of the purchaser. The problem of firearms control is under extensive debate, in both the House and Senate at the present time.

The gun that Oswald used was bought by mail order from a mail-order house in Chicago, no license for it, no permit for it, no checkup on it. The only way we were able to trace it was to find out where in this country that Italian-made gun was sold. We found the company in Chicago and later the mail-order slip that had been sent by Oswald to Chicago to get the gun. Now, there are arguments, of course——

Mr. DULLES. In a false name.

Mr. HOOVER. In a false name.

There is argument, of course, that by passing firearms legislation you are going to take the privilege of hunting away from the sportsmen of the country. I don't share that view with any great degree of sympathy because you have to get a license to drive an automobile and you have to get a license to have a dog, and I see no reason why a man shouldn't be willing, if he is a law-abiding citizen, to have a license to get a firearm whether it be a rifle or revolver or other firearm.

It is not going to curtail his exercise of shooting for sport because the police make a check of his background. If he is a man who is entitled to a gun, a law-abiding citizen, a permit will be granted.

Of course, today firearms control is practically negligible, and I think some steps should be taken along that line.

Fourth, a ban on picketing within the vicinity of the White House as is now done at the U.S. Capitol and Supreme Court. Some of these pickets are well-meaning and law-abiding individuals, some are for peace and some are more or less dedicated Communists.

Representative BOGGS. It is illegal to picket a Federal court now, Mr. Director, I happen to be the author of that law.

Mr. HOOVER. Yes; I am glad you had that law passed. Of course, they picket public buildings, they march around the Department of Justice Building, now and then, but the principal places they prefer to go are the Supreme Court Building, the Capitol and its grounds and the White House.

I think such picketing at the White House, of large or small groups, should be forbidden. I think at the White House they tried to get the pickets to walk across the street along Lafayette Park. That at least takes them away from being close to the gates at the White House. I think there ought to be some control. Picketing, of course, is legitimate if it is orderly. Many times it doesn't continue to be orderly, and sometimes pickets, as in this city, have thrown themselves on the pavement and the police have to come and pick them up or drag them away. Then, of course, the charge is made of brutality right away.

Delegations of colored groups have visited me and asked why I don't arrest a police officer for hitting some Negro whom he is arresting in a sit-in strike, lay-in strike or demonstration in some southern cities.

We have no authority to make an arrest of that kind. Under the authority the Bureau has we have to submit those complaints to the Department of Justice and if they authorize us to make an arrest we will do it.

have the number 866 assigned to the memo that Mr. Hoover is going to send about protection of the President, and have it admitted to this record under that number.

The CHAIRMAN. Yes; it may be.

Representative FORD. Also a number for this letter Mr. Hoover is going to submit.

Mr. RANKIN. May I assign 867?

The CHAIRMAN. Yes.

(Commission Exhibit Nos. 866 and 867 were marked for identification and received in evidence.)

TESTIMONY OF JOHN A. McCONE AND RICHARD M. HELMS

MAY 14, 1964

The CHAIRMAN. The Commission will be in order.

Director McCone, it is customary for the Chairman to make a short statement to the witness as to the testimony that is expected to be given. I will read it at this time.

Mr. McCone will be asked to testify on whether Lee Harvey Oswald was ever an agent, directly or indirectly, or an informer or acting on behalf of the Central Intelligence Agency in any capacity at any time, and whether he knows of any credible evidence or of any conspiracy either domestic or foreign involved in the assassination of President Kennedy, also with regard to any suggestions and recommendations he may have concerning improvements or changes in provisions for the protection of the President of the United States.

Would you please rise and be sworn? Do you solemnly swear the testimony you are about to give before this Commission shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. McCONE. I do.

The CHAIRMAN. Will you be seated, please? Mr. Rankin will conduct the examination.

Mr. RANKIN. Mr. McCone, will you state your name?

Mr. McCONE. My name is John Alex McCone.

Mr. RANKIN. Do you have an official position with the U.S. Government?

Mr. McCONE. Yes, sir; I am Director of Central Intelligence.

Mr. RANKIN. Have you been Director for some time?

Mr. McCONE. Yes; a little over 2½ years.

Mr. RANKIN. Where do you live, Mr. McCone?

Mr. McCONE. I live at 3025 Whitehaven Street in Washington.

Mr. RANKIN. Are you familiar with the records and how they are kept by the Central Intelligence Agency as to whether a man is acting as an informer, agent, employee, or in any other capacity for that Agency?

Mr. McCONE. Yes; I am generally familiar with the procedures and the records that are maintained by the Central Intelligence Agency. Quite naturally, I am not familiar with all of the records because they are very extensive.

Mr. RANKIN. Have you determined whether or not Lee Harvey Oswald, the suspect in connection with the assassination of President Kennedy, had any connection with the Central Intelligence Agency, informer or indirectly as an employee, or any other capacity?

Mr. McCONE. Yes; I have determined to my satisfaction that he had no such connection, and I would like to read for the record——

Mr. RANKIN. Will you tell us briefly the extent of your inquiry?

Mr. McCONE. In a form of affidavit, I have gone into the matter in considerable detail personally, in my inquiry with the appropriate people within the Agency, examined all records in our files relating to Lee Harvey Oswald. We had knowledge of him, of course, because of his having gone to the Soviet Union, as he did, putting him in a situation where his name would appear in our name file. However, my examination has resulted in the conclusion that Lee Harvey Oswald was not an agent, employee, or informant of the Central Intelligence Agency. The Agency never contacted him, interviewed him, talked with him, or received or solicited any reports or information from him, or communicated with him directly or in any other manner. The Agency never fur-

nished him with any funds or money or compensated him directly or indirectly in any fashion, and Lee Harvey Oswald was never associated or connected directly or indirectly in any way whatsoever with the Agency. When I use the term "Agency," I mean the Central Intelligence Agency, of course.

Representative FORD. Does that include whether or not he was in the United States, in the Soviet Union, or anyplace?

Mr. McCONE. Anyplace; the United States, Soviet Union, or anyplace.

Mr. RANKIN. Mr. McCone, is that the affidavit you are going to supply the Commission in connection with our request for it?

Mr. McCONE. Yes; this is the substance of the affidavit which I will supply to you.

Mr. RANKIN. Mr. Chairman, I ask leave to mark that Exhibit 870 and have it introduced in evidence as soon as we receive it from Mr. McCone as a part of this record.

The CHAIRMAN. It may be admitted.

(Commission Exhibit No. 870 was marked for identification and received in evidence.)

Mr. RANKIN. Would you tell us about your procedures in regard to having an agent or informer or any person acting in that type of capacity? Does that have to pass through your hands or come to your attention in the Agency?

Mr. McCONE. No; it does not have to come through my personal hands.

Mr. RANKIN. Without disclosing something that might be a security matter, could you tell us how that is handled in a general way in the Agency?

Mr. McCONE. Mr. Helms, who is directly responsible for that division of the Agency's activities as a Deputy Director, might explain. Would that be permissible?

Mr. RANKIN. Could we have him sworn then?

The CHAIRMAN. Yes.

The CHAIRMAN. Would you raise your right hand and be sworn. Do you solemnly swear the testimony you are about to give before this Commission shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HELMS. I do.

Mr. RANKIN. Mr. Helms, you heard the inquiry just directed to Mr. McCone. Could you answer the question directly?

Mr. HELMS. Yes; we have a specific procedure which we follow in all cases where the Agency is in contact, for the purposes of acquiring intelligence or whatever the case may be, with an individual. We not only have a record of the individual's name, but we also usually get information of a biographical nature. We then check this individual's name against our record. At that point we make a determination as to whether we desire to use this man or not to use him. It varies from case to case as to how many officers may be involved in approving a specific recruitment. May I go off the record?

(Discussion off the record.)

Mr. RANKIN. Mr. Helms, did you have anything to do on behalf of your Agency with determining whether or not Lee Harvey Oswald was acting in any of the capacities I have described in my questions to Mr. McCone?

Mr. HELMS. Yes; I did.

Mr. RANKIN. Will you tell us what you did in that regard?

Mr. HELMS. On Mr. McCone's behalf, I had all of our records searched to see if there had been any contacts at any time prior to President Kennedy's assassination by anyone in the Central Intelligence Agency with Lee Harvey Oswald. We checked our card files and our personnel files and all our records.

Now, this check turned out to be negative. In addition I got in touch with those officers who were in positions of responsibility at the times in question to see if anybody had any recollection of any contact having even been suggested with this man. This also turned out to be negative, so there is no material in the Central Intelligence Agency, either in the records or in the mind of any of the individuals, that there was any contact had or even contemplated with him.

Mr. RANKIN. Mr. Helms——

Mr. DULLES. Could I ask one question there? Do you recall or do you know at what time the name of Lee Harvey Oswald was carded, first came to your attention so it became a matter of record, in the Agency?

Mr. HELMS. Sir, I would want to consult the record to be absolutely accurate, but it is my impression that the first time that his name showed up on any Agency records was when he went to the Soviet Union.

Mr. RANKIN. Mr. Helms, in connection with your work you have supplied information to the Commission and we have requested many things from your Agency. Can you tell the Commission as to whether or not you have supplied us all the information the Agency has, at least in substance, in regard to Lee Harvey Oswald?

Mr. HELMS. We have; all.

Representative FORD. Has a member of the Commission staff had full access to your files on Lee Harvey Oswald?

Mr. HELMS. He has, sir.

Representative FORD. They have had the opportunity to personally look at the entire file?

Mr. HELMS. We invited them to come out to our building in Langley and actually put the file on the table so that they could examine it.

The CHAIRMAN. I was personally out there, too, and was offered the same opportunity. I did not avail myself of it because of the time element, but I was offered the same opportunity.

Mr. RANKIN. Mr. Helms, can you explain, according to the limitations of security, the reasons why we examined materials but did not always take them, in a general way?

Mr. HELMS. Yes; I can.

In our communications between individuals working overseas and in Washington, we for security reasons have a method of hiding the identities of individuals in telegrams and dispatches by the use of pseudonyms and cryptonyms. For this reason, we never allow the original documents to leave our premises. However, on the occasion when the representatives of the Commission staff looked at these files, we sat there and identified these pseudonyms and cryptonyms and related them to the proper names of the individuals concerned, so that they would know exactly what the correspondence said.

Mr. RANKIN. By that you mean the representatives of the Commission were able to satisfy themselves that they had all of the information for the benefit of the Commission without disclosing matters that would be a threat to security; is that right?

Mr. HELMS. It is my understanding that they were satisfied.

Representative FORD. Mr. McCone, do you have full authority from higher authority to make full disclosure to this Commission of any information in the files of the Central Intelligence Agency?

Mr. MCCONE. That is right. It is my understanding that it is the desire of higher authority that this Commission shall have access to all information of every nature in our files or in the minds of employees of Central Intelligence Agency.

Representative FORD. On the basis of that authority, you or the Agency have made a full disclosure?

Mr. MCCONE. That is correct.

Mr. RANKIN. Mr. Helms, I have handed you Exhibits 868 and 869 directed to you acting for the Agency, the first one being from the Commission to you and the second one, 869, being your answer in regard to your full and complete disclosure in regard to your records; isn't that correct?

Mr. HELMS. That is correct. May I say, Mr. Rankin, that any information, though, subsequent to this correspondence which we may obtain we will certainly continue to forward to the Commission.

Mr. RANKIN. Thank you. Mr. Chief Justice, I ask leave to have those two exhibits, 868 and 869, received in evidence at this time.

The CHAIRMAN. They may be admitted under those numbers.

(Commission Exhibits Nos. 868 and 869 were marked for identification and received in evidence.)

Mr. RANKIN. Mr. McCone, if I may return to you, I will now ask you if you have any credible information that you know of or evidence causing you to believe that there is any or was any conspiracy either domestic or foreign in connection with the assassination of President Kennedy?

Mr. McCONE. No; I have no information, Mr. Rankin, that would lead me to believe or conclude that a conspiracy existed.

Representative FORD. Did the CIA make an investigation of this aspect of the assassination?

Mr. McCONE. We made an investigation of all developments after the assassination which came to our attention which might possibly have indicated a conspiracy, and we determined after these investigations, which were made promptly and immediately, that we had no evidence to support such an assumption.

Representative FORD. Did the Central Intelligence Agency have any contact with Oswald during the period of his life in the Soviet Union?

Mr. McCONE. No; not to my knowledge, nor to the knowledge of those who would have been in a position to have made such contact, nor according to any record we have.

Representative FORD. Did the Central Intelligence Agency have any personal contact with Oswald subsequent to his return to the United States?

Mr. McCONE. No.

Mr. RANKIN. Mr. McCone, your Agency made a particular investigation in connection with any allegations about a conspiracy involving the Soviet Union or people connected with Cuba, did you not?

Mr. McCONE. Yes, we did. We made a thorough, a very thorough, investigation of information that came to us concerning an alleged trip that Oswald made to Mexico City during which time he made contact with the Cuban Embassy in Mexico City in an attempt to gain transit privileges from Mexico City to the Soviet Union via Havana. We investigated that thoroughly.

Mr. RANKIN. Do you also include in your statement that you found no evidence of conspiracy in all of that investigation?

Mr. McCONE. That is correct.

Mr. RANKIN. And also the investigation you made of the period that Lee Harvey Oswald was in the Soviet Union?

Mr. McCONE. That is right.

Mr. RANKIN. Mr. McCone——

Mr. DULLES. Could I ask one question there? Does your answer, Mr. McCone, include a negation of any belief that Oswald was working for or on behalf of the Soviet Union at any time when you were in contact with him or knew about his activities?

Mr. McCONE. As I have already stated, we were never in contact with Oswald. We have no evidence that he was working for or on behalf of the Soviet Union at any time. According to his diary, Oswald did receive a subsidy from the Soviet Red Cross which we assume had the approval of the authorities. Such a payment does not indicate to us that he even worked for the Soviet intelligence services. Furthermore, we have no other evidence that he ever worked for Soviet intelligence.

Representative FORD. Is the Central Intelligence Agency continuing any investigation into this area?

Mr. McCONE. No, because, at the present time, we have no information in our files that we have not exhaustively investigated and disposed of to our satisfaction. Naturally, any new information that might come into our hands would be investigated promptly.

Mr. HELMS. I simply wanted to add that we obviously are interested in anything we can pick up applying to this case, and anything we get will be immediately sent to the Commission, so that we haven't stopped our inquiries or the picking up of any information we can from people who might have it. This is on a continuing basis.

Representative FORD. In other words, the case isn't closed.

Mr. HELMS. It is not closed as far as we are concerned.

Mr. RANKIN. Would that be true, Mr. Helms, even after the Commission completed its report, you would keep the matter open if there was anything new that developed in the future that could be properly presented to the authorities?

Mr. HELMS. Yes. I would assume the case will never be closed.

Mr. RANKIN. Mr. McCone, do you have any ideas about improving the security provisions for the President that you would like to relate to the Commission?

Mr. McCONE. Well, this is, in my opinion, a very important question which I am sure this Commission will—has and will—devote a considerable amount of thought to, and undoubtedly have some recommendations as part of its report.

Mr. RANKIN. Your Agency does have an important function in some aspects.

Mr. McCONE. We have a very important function in connection with the foreign travels of the President, and I would like to inform the Commission as to how we discharge that responsibility by quickly reviewing the chronology of the Central Intelligence Agency's support of President Kennedy's visit to Mexico City from the 29th of June to the 2d of July 1962.

Mr. RANKIN. Will you please do that.

The CHAIRMAN. Director, is that a security matter?

Mr. McCONE. No. I think I can handle this for the record.

The CHAIRMAN. Very well.

Mr. McCONE. If I have to make a remark or two off the record I will ask that privilege.

That visit, as I said, started on the 29th of June. On the 28th of April, in anticipation of the visit, instructions were transmitted to Mexico for the Ambassador to coordinate planning and informational guidance for the advance party of the Secret Service.

We asked that the Secret Service be given information on local groups and persons who would cause disturbances, embarrassments or physical harm, an estimate of the determination and ability of the Mexican government to prevent incidents, and preparation for special briefings to the Embassy officials and the Secret Service, and such additional support and communications personnel that might be required.

These instructions were given two months before the trip.

On the 15th of May, we received confirmed information that the President would visit Mexico on the specific dates. On the 1st of June the Secret Service was supplied by the Agency with the detailed survey of Mexican security forces that would be called upon to protect the President.

Friendly and allied governments were informed of the visit and their cooperation and pertinent informational support was solicited. From this date through the 2d of July daily information reports were furnished to the State Department, the Secret Service, the FBI and the military services.

That is from the 1st of June to the 2d of July, a period of 31, 32 days. On the 8th of June the Secret Service advance party was briefed in detail by a group of officers of the Agency on the Mexican government's plans for the protection of the President, including current information on the size, strength and capabilities of potential troublemakers.

Hazardous locations and times in the planned itinerary were identified, political and economic issues that might be invoked by hostile elements for demonstrations were specified.

On the 11th of June, the Secret Service advance party left for Mexico supported by additional security personnel to assist in coordinating an informational report and the followup activity required.

Especially prepared national intelligence estimates on the current security conditions in Mexico was approved by the United States Intelligence Board on the 13th of June.

On the 15th of June arrangements were completed to reenforce communications facilities. On the 24th of June a conference at the State Department was held at the request of the President for reviewing security measures, and this meeting I attended personally, and reported to the State Department on the essence of all that had gone before.

Emergency contingency plans were discussed and a consensus was reached that the President should make the visit as scheduled.

On the 27th of June, a final updated special national intelligence estimate was prepared, and this indicated no basic changes in the security assessment that Mexican government was prepared to cope with foreseeable security contingencies.

On the 28th of June, a final briefing report was prepared for the Director's use which indicated the security precautions of the Mexican government had effectively forestalled major organized incidents, and our informed estimate was that the President would receive a great welcome.

The report was presented to the President personally by the Director at noon in a final meeting prior to departure on this trip.

From the 29th of June to the 2d of July in Washington headquarters, headquarters components remained on a 24-hour alert for close support of the embassy and the Secret Service.

So, not only was the Central Intelligence Agency and its various components involved in this for a period of 2 months in close collaboration with the Secret Service, but by bringing in the United States Intelligence Board we brought in all of the intelligence assets of the United States Government in connection with this particular trip. I thought this procedure which is followed regularly on all trips that the President makes out of the country would be of interest to the Commission.

The CHAIRMAN. That is the normal format of your procedures?

Mr. McCONE. Yes.

The CHAIRMAN. When the President goes abroad?

Mr. McCONE. Yes, I selected this one. The same was true of his trip to Caracas or Paris or elsewhere.

Mr. RANKIN. Mr. McCone, in your investigation of the Oswald matter did you use the same approach or a comparable approach to a liaison with the other intelligence agencies of government to try to discover anything that might involve your jurisdiction.

Mr. McCONE. Yes. We were in very close touch with the Federal Bureau of Investigation and with the Secret Service on a 24-hour basis at all points, both domestic and foreign, where information had been received which might have a bearing on this problem.

Mr. RANKIN. Assassination?

Mr. McCONE. Assassination.

Mr. RANKIN. Do you have an opinion, Mr. McCone, as to whether or not the liaison between the intelligence agencies of the United States Government might be improved if they had better mechanical, computer or other facilities of that type, and also some other ideas or methods of dealing with each other?

Mr. McCONE. There is a great deal of improvement of information that might be of importance in a matter of this kind through the use of computers and mechanical means of handling files, and you, Mr. Chief Justice, saw some of our installations and that was only a beginning of what really can be done.

The CHAIRMAN. Yes; I did.

Mr. McCONE. I would certainly urge that all departments of government that are involved in this area adopt the most modern methods of automatic data processing with respect to the personnel files and other files relating to individuals. This would be helpful.

But I emphasize that a computer will not replace the man, and therefore, we must have at all levels a complete exchange of information and cooperation between agencies where they share this responsibility, and in going through this chronology, it points out the type of exchange and cooperation that the Central Intelligence Agency tries to afford both the Secret Service and the Federal Bureau of Investigation in matters where we have a common responsibility.

I would like to emphasize the very great importance of this exchange, which is not always easily accomplished because it is cumbersome.

Sometimes it becomes involved in distracting people from other duties, and so on and so forth.

I have given a good deal of thought to the matter of some incentives to bring out informers, thinking about the old informer statutes in which some of them are still on the books, in which people were rewarded for informing when others conducted themselves in a damaging way.

Mr. DULLES. Smuggling cases?

Mr. MCCONE. Smuggling cases. But I believe that something could be done. I call to the attention of this Commission one of the laws relating to atomic energy, namely the Atomic Weapons Reward Act of 15 July 1955 wherein a substantial reward is offered for the apprehension of persons responsible for the clandestine introduction or manufacture in the United States of such nuclear material or atomic weapons. It is suggested that the Commission may wish to recommend that original but similar legislation be enacted which would induce individuals to furnish information bearing on Presidential security by offering a substantial reward and preferential treatment. Substantial reward could represent a significant inducement even to staff officers and personnel of secret associations and state security organs abroad who are charged with assassination and sabotage. We have information that such personnel and police state apparatuses have expressed and, in certain cases, acted upon their repugnance for such work and for the political system which requires such duties to be performed.

Mr. RANKIN. Is it your belief, Mr. McCone, that the methods for exchange of information between intelligence agencies of the Government could be materially improved.

Mr. MCCONE. I think the exchange between the Central Intelligence Agency and the Federal Bureau of Investigation or the Secret Service is quite adequate. I am not informed as to whether the exchanges between the Secret Service and the FBI are equally adequate. I have not gone into that. I would have no means to know. Certainly it is most important that it be done.

Mr. DULLES. Looking back now that you have the full record, do you feel that you received from the State Department adequate information at the time that they were aware of Oswald's defection and later activities in the Soviet Union, did you get at the time full information from the State Department on those particular subjects?

Mr. MCCONE. Well, I am not sure that we got full information, Mr. Dulles. The fact is we had very little information in our files.

Mr. HELMS. It was probably minimal.

Representative FORD. Why did that happen?

Mr. HELMS. I am not sure, Mr. Ford. I can only assume that the State Department had a limited amount. Interestingly enough, it is far enough back now so that it's very hard to find people who were in the Moscow Embassy at the time familiar with the case, so in trying to run this down one comes to a lot of dead ends and I, therefore, would not like to hazard any guess.

Representative FORD. Whose responsibility is it; is it CIA's responsibility to obtain the information, or State Department's responsibility to supply it to Central Intelligence and to others.

Mr. MCCONE. With respect to a U.S. citizen who goes abroad, it is the responsibility of the State Department through its various echelons, consular service and embassies and so forth.

For a foreigner coming into the United States, who might be of suspicious character, coming here for espionage, subversion, assassination and other acts of violence, we would, and we do exchange this information immediately with the FBI.

Representative FORD. But in this particular case, Oswald in the Soviet Union, whose responsibility was it to transmit the information, whatever it was, to the Central Intelligence Agency?

Mr. MCCONE. Well, it would be the State Department's responsibility to do that. Whether there really exists an order or orders that information on an American citizen returning from a foreign country be transmitted to CIA, I don't believe there are such regulations which exist.

Mr. HELMS. I don't believe they do, either.

Mr. MCCONE. I am not sure they should.

Representative FORD. It wouldn't be your recommendation that you, the head of Central Intelligence Agency, should have that information?

Mr. DULLES. In a case of an American defecting to a Communist country, shouldn't you have it?

Mr. MCCONE. Certainly certain types of information. What we ought to be

careful of here, would be to rather clearly define the type of information which should be transmitted, because after all, there are hundreds of thousands or millions of Americans going back and forth every year, and those records are the records of the Immigration Service, the Passport Division.

Mr. DULLES. I was thinking of a person who having defected might, of course, have become an agent and then reinserted into the United States and if you were informed of the first steps to that you might help to prevent the second step.

Mr. McCONE. Well, certainly information on defectors or possible recruitments should be, and I have no question is being, transmitted.

Representative FORD. What I was getting at was whether the procedures were adequate or inadequate, whether the administration was proper or improper in this particular case, and if some files you have that started when he attempted to defect are inadequate why we ought to know, and we ought to know whether the basic regulations were right or wrong, whether the administration was proper or improper, that is what I am trying to find out.

I would like your comment on it.

Mr. McCONE. Well, I think the basic regulations should be examined very carefully to be sure that they are copper-riveted down and absolutely tight. What I am saying, however, is because of the vast number of Americans who go abroad and stay in foreign countries for indefinite periods of time, it would be an impossible task to transmit all information available in the State Department and Immigration Service as files to the Central Intelligence Agency. It would not be a productive exercise. What must be transmitted and is being transmitted, while I cannot recite the exact regulations is information that is, becomes, known to the various embassies of suspicious Americans that might have been recruited and defected, and then returned so that they would be agents in place.

Representative FORD. In this case, Oswald attempted to defect, he did not, he subsequently sought the right to return to the United States, he had contact with the Embassy. Was the Central Intelligence Agency informed of these steps, step by step, by the Department of State?

Mr. McCONE. You might answer that.

Mr. HELMS. Mr. Ford, in order to answer this question precisely I would have to have the file in front of me. I have not looked at it in some time so I don't have it all that clearly in mind. But it is my impression that we were not informed step by step. When I say that there is no requirement that I am aware of that the State Department should inform us and when I said a moment ago that we had minimal information from them, this was not in any sense a critical comment but a statement of fact.

But an American going to the American Embassy would be handled by the Embassy officials, either consular or otherwise. This would be a matter well within the purview of the State Department to keep all the way through, because we do not have responsibility in the Central Intelligence Agency for the conduct or behavior or anything else of American citizens when they are abroad unless there is some special consideration applying to an individual, or someone in higher authority requests assistance from us. So that the State Department, I think, quite properly would regard this matter as well within their purview to handle themselves within the Embassy or from the Embassy back to the Department of State without involving the Agency in it while these events were occurring.

Representative FORD. I think it could be argued, however, that the uniqueness of this individual case was such that the Department of State might well have contacted the Central Intelligence Agency to keep them abreast of the developments as they transpired. This is not—and when I say this, I mean the Oswald case—is not an ordinary run-of-the-mill-type of case. It is far from it. Even back in the time, well, from the time he went, and particularly as time progressed, and he made application to return, there is nothing ordinary about the whole situation.

Mr. McCONE. That is quite correct; there is no question about that.

Representative FORD. And I am only suggesting that if the regulations were not adequate at the time and are not now, maybe something ought to be done about it.

Mr. RANKIN. Mr. McCone, when you said that supplying all of the information about U.S. citizens who went abroad and came back to the country would not be a profitable exercise, did that comment include the thought that such an intrusion upon all citizens would be questionable?

Mr. McCONE. Such an intrusion?

Mr. RANKIN. Upon their right to travel.

Mr. McCONE. Well, I think this would have a bearing on it. I did not have that particular matter in mind when I made that statement, however. I was just thinking of the——

Mr. RANKIN. Burden?

Mr. McCONE. Of the burden of vast numbers involved.

Mr. RANKIN. Do you have any thought in regard to whether it would be an intrusion upon their rights?

Mr. McCONE. Well, that would be a matter of how it was handled. Certainly, if it was handled in a way that the counterpart of providing the information was to impose restrictions on them, then it would be an intrusion on their rights.

Mr. RANKIN. Yes.

Senator COOPER. May I inquire?

The CHAIRMAN. Senator Cooper.

Senator COOPER. I missed the first part of Mr. McCone's testimony; I went to answer a quorum call. Perhaps the question has been asked.

It has been brought into evidence that a number of people in the Embassy talked to Oswald when he first defected, and the various communications with the Embassy and, of course, when he left to come back to the United States. Have we been able to ascertain the names of officials in the Embassy or employees with whom Oswald talked on these various occasions?

Mr. McCONE. I am not familiar with them; no.

Mr. HELMS. Neither am I, sir.

Mr. McCONE. I presume that the Department's inquiries have covered it.

Senator COOPER. Is it possible to ascertain the names of those employees?

Mr. RANKIN. Senator Cooper, I can answer that. We have inquired of the State Department for that information, and are in the process of obtaining it all.

Senator COOPER. Taking into consideration your answers to the previous question, would it have been possible in your judgment to have secured more comprehensive information about the activities of Oswald in Russia?

Mr. McCONE. It would not have been possible for the Central Intelligence Agency to have secured such information because we do not have the resources to gain such information.

The CHAIRMAN. Anything more? Congressman Ford?

Representative FORD. Did the Central Intelligence Agency investigate any aspects of Oswald's trip to Mexico?

Mr. McCONE. Yes; we did.

Representative FORD. Can you give us any information on that?

Mr. McCONE. Yes; we were aware that Oswald did make a trip to Mexico City and it was our judgment that he was there in the interest of insuring transit privileges and that he made contact with the Cuban Embassy while he was there.

We do not know the precise results of his effort, but we assumed, because he returned to the United States, he was unsuccessful. We have examined to every extent we can, and using all resources available to us every aspect of his activity and we could not verify that he was there for any other purpose or that his trip to Mexico was in any way related to his later action in assassinating President Kennedy.

Representative FORD. Did the Central Intelligence Agency make any investigation of any alleged connection between Oswald and the Castro government?

Mr. McCONE. Yes; we investigated that in considerable detail, because information came to us through a third party that he had carried on a rather odd discussion with Cuban officials in the Cuban Embassy in Mexico City. The allegation was that he had received under rather odd circumstances a substantial amount of money in the Cuban Embassy, and the statement was made by one who claimed to have seen this transaction take place. After a very thorough

and detailed examination of the informer, it finally turned out by the informer's own admission that the information was entirely erroneous, and was made for the purpose of advancing the informer's own standing with the Central Intelligence Agency and the U.S. Government and it was subsequently retracted by the informer in its entirety.

Representative FORD. Was there any other evidence or alleged evidence——

Mr. MCCONE. Parenthetically, I might add a word for the record that the date that the informer gave as to the date in time of this alleged transaction was impossible because through other, from other, information we determined that Oswald was in the United States at that particular time.

Representative FORD. Did the Central Intelligence Agency ever make an investigation or did it ever check on Mr. Ruby's trip to Cuba or any connections he might have had with the Castro government?

Mr. MCCONE. Not to my knowledge.

Mr. HELMS. We had no information.

Mr. MCCONE. We had no information.

Representative FORD. Central Intelligence Agency has no information of any connections of Ruby to the Castro government?

Mr. MCCONE. That is right.

Representative FORD. Did you ever make a check of that?

Mr. HELMS. We checked our records to see if we had information and found we did not.

Representative FORD. What would that indicate, the fact that you checked your records?

Mr. HELMS. That would indicate that if we had received information from our own resources, that the Cubans were involved with Mr. Ruby in something which would be regarded as subversive, we would then have it in our files. But we received no such information, and I don't, by saying this, mean that he did not. I simply say we don't have any record of this.

Representative FORD. That is all.

The CHAIRMAN. Director, thank you very much, sir, for coming and being with us and we appreciate the help your department has given to us.

(Whereupon, at 12:30 p.m., the President's Commission recessed.)

Thursday, June 4, 1964

TESTIMONY OF THOMAS J. KELLEY, LEO J. GAUTHIER, LYNDAL L. SHANEYFELT, AND ROBERT A. FRAZIER

The President's Commission met at 2:10 p.m., on June 4, 1964, at 200 Maryland Avenue NE., Washington, D.C.

Present were Chief Justice Earl Warren, Chairman; Senator John Sherman Cooper, Representative Gerald R. Ford, Allen W. Dulles, and John J. McCloy, members.

Also present were J. Lee Rankin, general counsel; Norman Redlich, assistant counsel; Arlen Specter, assistant counsel; Waggoner Carr, attorney general of Texas; and Charles Murray, observer.

TESTIMONY OF THOMAS J. KELLEY

(Members present at this point: The Chairman, Representative Ford, Mr. Dulles, and Mr. McCloy.)

Mr. SPECTER. Mr. Chief Justice, we have witnesses today who are Thomas J. Kelley of the Secret Service; Leo J. Gauthier, Lyndal L. Shaneyfelt, and Robert A. Frazier of the FBI. They are going to testify concerning certain

JAMES J. ROWLEY, CHIEF, SECRET SERVICE
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Mr. ROWLEY. I think there are certain things that you have to allow the man who is operating as a politician, and not as head of state. I mean this makes a difference in your operation.

Mr. RANKIN. Chief Rowley, did you give us a report of the activities in protecting the President at and around Parkland Hospital?

Mr. ROWLEY. Yes, sir.

Mr. RANKIN. And is that Commission Exhibit No. 1026?

Mr. ROWLEY. Yes, sir.

(The document referred to was marked Commission Exhibit No. 1026 for identification.)

Mr. RANKIN. Mr. Chairman, I offer in evidence Commission Exhibit No. 1026.

The CHAIRMAN. It may be admitted.

(The document heretofore marked for identification as Commission Exhibit No. 1026, was received in evidence.)

Mr. RANKIN. Do you have any additions or corrections you care to make in that exhibit?

Mr. ROWLEY. No, sir.

Mr. RANKIN. Chief Rowley, did you give us a report about protective activity subsequent to Dallas on behalf of the Secret Service?

Mr. ROWLEY. Yes, sir.

Mr. RANKIN. I will hand you Commission Exhibit No. 1027 and ask you if that is the report that you have just referred to.

(The document referred to was marked Commission Exhibit No. 1027 for identification.)

Mr. ROWLEY. Yes, sir.

Mr. RANKIN. Chief Rowley, I ask you, are there any problems with regard to Commission Exhibit No. 1027 concerning security, and whether that should be—that document should be made public? You just take your time if you want to glance over it.

Mr. ROWLEY. No; as I read it, it is general enough, sir, that it can be included.

(At this point, Mr. Dulles entered the hearing room.)

Mr. RANKIN. Mr. Chairman, I offer in evidence Commission Exhibit No. 1027.

The CHAIRMAN. It may be admitted.

(The document heretofore marked for identification as Commission Exhibit No. 1027, was received in evidence.)

(At this point, Representative Boggs entered the hearing room.)

Mr. RANKIN. Are there any of the various answers that you give in the answers to the questions attached to Commission Exhibit No. 1027 that you care to elaborate on at this time?

I am not asking you or urging you to do it, because I assume that you anwered them with care at the time. I just wanted to give you that opportunity.

Mr. ROWLEY. No; not at this time.

Mr. DULLES. May I ask a question there?

You consider that the criteria as now furnished by you to the FBI and other investigative agencies would cover a case like Oswald's?

Mr. ROWLEY. Yes, sir.

Mr. DULLES. You think they would?

Mr. ROWLEY. Yes, sir.

Mr. DULLES. You think they understand that?

Mr. ROWLEY. Well, as we stated in the covering letter when we sent this out—we haven't gotten any reaction—we asked for their cooperation and suggestions in connection with such guidelines.

Mr. DULLES. Defectors are not specifically covered, are they, by your criteria?

Mr. ROWLEY. Well, they are given to us now. We are being furnished the names of defectors, and they are being investigated, so that their background and history will be furnished to us, and we will be in a position now to determine whether they represent a risk or not.

Mr. RANKIN. Chief Rowley——

Representative BOGGS. May I ask a question there?

Would you have any notion as to why names of defectors were not provided to you prior to November 22?

Mr. ROWLEY. Yes; under the broad picture, Mr. Congressman, there was no

indication that they had made any threat toward the President or members of his family. Whenever there was a threat made, we were furnished promptly by the different agencies the information on the individual's name. And this was done in voluminous reports by the FBI, and the other agencies. When they got any information, they would notify the local office, notify their liaison, who notified us by telephone, and confirmed by memorandum. The same obtained with respect to the CIA.

Representative BOGGS. This fellow was interviewed by the FBI several times—he was interviewed in New Orleans when he allegedly had his Fair Play Committee. If my memory serves me correctly, Mrs. Paine was interviewed about him shortly before the visit of the President, after he had gone to work at the Texas School Book Depository. I agree that there had been no indication of a threat on the President's life. But, obviously he was a person in the FBI files who was under some degree of surveillance. It would seem to me strange that the FBI did not transmit this information to the Secret Service.

Mr. ROWLEY. The FBI, Mr. Congressman, are concerned with internal security. And I think their approach was internal security as it related to this individual, whether or not he was a potential recruit for espionage, intelligence, or something like that.

Their concern was talking to him in this vein, in the course of which there was no indication that he bore any malice toward anyone, and particularly to the President of the United States. If someone said that Henry Smith didn't like the President, and we got his file, we would get to the point where you have 3 million names in the file. How effective are you going to be then?

Representative BOGGS. Well, that is right.

Mr. ROWLEY. And then you get in the area of civil rights and all, if you start going into individuals——

Representative BOGGS. And if I remember correctly, there has never been—we have had no testimony from anyone that Oswald ever threatened the President of the United States. Is that correct?

Mr. RANKIN. That is correct.

Representative BOGGS. That was the only question I had.

Mr. DULLES. Along that line, I just raise the question as to whether maybe too much emphasis is not put on the threat angle, because a clever fellow, if he is going to assassinate the President, the last thing he is going to do is go around and talk about it and threaten it.

Mr. ROWLEY. That is right. Well, this has been so with loners, too.

As you say, you read the assassinations. Some of them just kept to themselves, and traveled, and the next thing you know they confronted their victim. Sometimes they were successful, other times they were not.

Mr. DULLES. I recognize the difficulty of working out adequate criteria. But I just think you ought to do some more seeking, and there is more work to be done on that.

Mr. ROWLEY. Yes, sir.

Senator COOPER. May I ask this question: It hasn't been clear to me. Is it correct that now a defector does come within the scope of your Service?

Mr. ROWLEY. Yes, sir; we are furnished the names of defectors by the FBI. And they investigate these people. And then in their report, if it shows that the individual has emotional instability or propensity for violence, we pick it up from there. But all the reports on the known defectors in this country are submitted to us, and then we evaluate from the case history of the report whether or not he would be a risk for us subject to investigation.

Senator COOPER. I understood that was the procedure before. But my question is now, is the defector per se classed as one of those against whom you would take protective measures?

Mr. ROWLEY. No, no, sir; not unless we had——

Senator COOPER. Since the assassination?

Mr. ROWLEY. Not unless we had these three categories of factors we just enunciated.

Senator COOPER. I would suggest—first, I understand there are not many defectors who have returned to the United States.

Secondly, it seems to me a man who has defected from the United States to

go to Russia or a Communist country indicates that he has pretty strong convictions against the United States, or else there is something questionable about his mental processes.

I would think that fact alone would make it important to watch his activities when he came back.

Mr. ROWLEY. It would. And I think the FBI properly conducts the investigations, from the standpoint of internal security, and furnishes us a report. And then if there is something in the report that indicates he could be a risk to the President or the Vice President, we could take it from there.

Representative BOGGS. Mr. Rankin, I have to go to a meeting in 2 or 3 minutes. There is just one question I would like to ask before leaving.

Is it not a fact that probably the greatest deterrent that you have is the very fact that the public knows that there is a Secret Service?

Mr. ROWLEY. Yes, sir.

Representative BOGGS. That you do guard the life of the President. And that the chances of an assassin escaping with his own life are pretty remote. So this psychological weapon is one of the things you rely on?

Mr. ROWLEY. That is correct.

Representative BOGGS. And you must necessarily keep a degree of secrecy about the methods you employ.

Mr. ROWLEY. Yes, sir; otherwise they could develop countermethods, to thwart anything we might set up.

Representative BOGGS. Exactly. Thank you very much.

Mr. RANKIN. Chief Rowley, do you in the Secret Service obtain the benefit of cooperation with other governmental agencies in the protection of the President?

Mr. ROWLEY. We receive cooperation from every agency. If I may name a few—we were scheduled to visit Puerto Rico in 1948 or 1947—I am not quite certain—with President Truman, who was then vacationing at Key West. We had no office in Puerto Rico at the time. We did not know the situation other than that it could be sticky because of the Nationalist Party of Puerto Rico.

(At this point, Representative Boggs withdrew from the hearing room.)

Mr. ROWLEY. Our advance man called me and asked me if I would not talk to Mr. Hoover to see whether or not we could have the assistance of some of their agents who were down there in an office established there. And I communicated then with the Assistant Director, who said, "I will get back to you" and got the approval. That was an example of the beginning of the cooperation, when I was at the White House, with the FBI.

Now, in the years subsequent to World War II, anytime we were abroad, I made personal contact with Mr. Dulles, and I think for national security we should go off the record on this, because this is something that pertains today.

(Discussion off the record.)

The CHAIRMAN. Back on the record.

Mr. RANKIN. Now, Chief Rowley, are you familiar with the provisions in the appropriation act with regard to the FBI concerning their protection of the person of the President?

Mr. ROWLEY. Yes.

Mr. RANKIN. You know of that, do you?

Mr. ROWLEY. Yes; I do. Historically, that was first passed in 1910. It stated that because of the limited number of Secret Service men at that time, that appropriation—a certain given figure—was to be used by the U.S. marshals to assist the Secret Service.

Mr. RANKIN. Was the Secret Service opposed to that provision in the appropriation act for the FBI?

Mr. ROWLEY. No; it has never opposed that provision over the years. I started to say, Mr. Rankin—subsequently, after the founding of the FBI, this was transferred, apparently, from the marshals to the FBI, and it has been in the appropriations as long as I can remember. We have never objected to that appropriation.

Mr. RANKIN. Now, there is some language in H.R. 4158, I understand, which deals with the permanent organization of the Government that you are objecting to; is that right?